

02:00:00

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

- - -

UNITED STATES OF AMERICA, : CASE NO. 1:18-cr-0043
:
Plaintiff, :
vs. : TRIAL EXCERPT
:
YANJUN XU, also known as XU : 29th of OCTOBER, 2021
YANJUN, also known as QU HUI, : 9:32 A.M.
also known as ZHANG HUI, :
:
Defendant. :

- - -

TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE TIMOTHY S. BLACK, JUDGE

- - -

APPEARANCES:

For the Plaintiff:

Timothy S. Mangan, Esq.
Emily N. Glatfelter, Esq.
Assistant United States Attorneys
221 East Fourth Street, Suite 400
Cincinnati, Ohio 45202
and
Matthew John McKenzie, Esq.
United States Department of Justice
National Security Division
950 Pennsylvania Avenue NW
Washington, D.C. 20530
and
Jacqueline K. Prim
Special Assistant, Paralegal
United States Department of Justice
National Security Division
950 Pennsylvania Avenue NW
Washington, D.C. 20530

For the Defendant:

Ralph William Kohnen, Esq.
Jeanne Marie Cors, Esq.
Sanna-Rae Taylor, Esq.
Taft Stettinius and Hollister
425 East Walnut Street, Suite 1800
Cincinnati, Ohio 45202
and

1 Robert K. McBride, Esq.
2 Amanda Johnson, Esq.
3 Taft Stettinius and Hollister
4 50 East RiverCenter Boulevard
5 Suite 850
6 Covington, Kentucky 41011
7 and
8 Florian Miedel, Esq.
9 Miedel & Mysliwiec, LLP
10 80 Broad Street, Suite 1900
11 New York, New York 10004

7 Also present: Mae Harmon, Interpreter
8 Robin Murphy, Interpreter
9 Yanjun Xu, Defendant

9 Law Clerk: Cristina V. Frankian, Esq.

10 Courtroom Deputy: Bill Miller

11 Stenographer: Mary Schweinhagen, RPR, RMR, RDR, CRR
12 United States District Court
13 200 West Second Street, Room 910
14 Dayton, Ohio 45402

14 Proceedings reported by mechanical stenography,
15 transcript produced by computer.

15 *** **

16

17

18

19

20

21

22

23

24

25

ZHENG - DIRECT (Glatfelter)

4

1 P-R-O-C-E-E-D-I-N-G-S 9:32 A.M.

2 (Proceedings reported but not transcribed.)

09:32:36 3 MS. GLATFELTER: Thank you, Your Honor. The
09:32:37 4 government calls Mr. Zheng.

09:32:43 5 THE COURT: If that gentleman would be willing to
09:32:49 6 approach. And if you'd be willing to pause where you are, and
09:33:00 7 I'd ask you to take the oath to tell the truth.

09:33:00 8 Would you raise your right hand please. Do you
09:33:00 9 solemnly swear or affirm that your testimony today will be the
09:33:00 10 truth, subject to the penalty of perjury.

09:33:03 11 THE COURT: Very well. You may be seated. Start to
09:33:06 12 get acclimated. The chair tips back on occasion, and we'll
09:33:12 13 need you close to the microphone, right in front of your
09:33:15 14 mouth.

09:33:17 15 And the government's lawyer will begin with questions of
09:33:19 16 you, sir.

09:33:21 17 Ms. Glatfelter, you may proceed.

09:33:26 18 MS. GLATFELTER: Thank you.

09:33:26 19 **DIRECT EXAMINATION**

09:33:26 20 BY MS. GLATFELTER:

09:33:27 21 **Q.** Mr. Zheng, could you state and spell your name for the
09:33:30 22 court reporter?

09:33:30 23 **A.** First name D-A-V-I-D, last name Z-H-E-N-G.

09:33:40 24 **Q.** Thank you. Mr. Zheng, do you have a bachelor's degree?

09:33:45 25 **A.** Yes, I have a bachelor's degree in civil engineering.

ZHENG - DIRECT (Glatfelter)

5

09:33:49 1 Q. And where is your bachelor's degree from?

09:33:52 2 A. From Harbin University or Institute of Technology in
09:33:58 3 China.

09:33:58 4 Q. And, Mr. Zheng, do you have a master's degree?

09:34:06 5 A. Yes, I have a Master's degree in structure engineering
09:34:07 6 from Northern Jiaotong University.

09:34:11 7 Q. Do you have a Ph.D. as well?

09:34:13 8 A. Yes, I have a Ph.D. degree from the University of
09:34:16 9 Akron.

09:34:18 10 Q. And what was the subject matter of your Ph.D. degree from
09:34:23 11 the University of Akron?

09:34:25 12 A. Impact of composites, structures.

09:34:29 13 Q. And did you -- for your Ph.D. work, did you work on a
09:34:34 14 project that was funded by GE and NASA?

09:34:37 15 A. Yes.

09:34:38 16 Q. Are you fluent in any foreign languages?

09:34:41 17 A. I'm fluent in Chinese, Mandarin.

09:34:46 18 Q. Do you speak and read Chinese?

09:34:48 19 A. Yes.

09:34:49 20 Q. When did you come to the United States?

09:34:51 21 A. I came to United States in 2003.

09:34:56 22 Q. And can you tell the members of the jury if you became a
09:35:00 23 citizen of the United States?

09:35:02 24 A. I became a citizen in 2019.

09:35:06 25 Q. Okay. And why did you become a citizen?

ZHENG - DIRECT (Glatfelter)

6

09:35:08 1 A. I been in the U.S. since 2003. All of my wife and kids
09:35:14 2 are here. I love this country and joined as a U.S. citizen.

09:35:19 3 Q. At some point in your career as an engineer, did you
09:35:22 4 begin working for GE?

09:35:24 5 A. I start working for GE after I graduate from my Ph.D.
09:35:31 6 degree in 2007.

09:35:33 7 Q. And can you describe the work that you did for GE at that
09:35:39 8 time?

09:35:39 9 A. I was a research engineer, collaborating with different
09:35:45 10 GE businesses, including GE Aviation.

09:35:51 11 Q. And where was the office where you worked at that time?

09:35:53 12 A. I was working in Niskayuna, New York, in upstate New
09:36:01 13 York.

09:36:01 14 Q. At some point did you start working for GE Aviation here
09:36:04 15 in Cincinnati, Ohio?

09:36:05 16 A. I transitioned to GE Aviation here in Cincinnati in
09:36:13 17 2012.

09:36:14 18 Q. And when you transitioned here, what position did you
09:36:18 19 start working?

09:36:19 20 A. I start with a lead design engineer, then was promoted
09:36:29 21 as a staff engineer in 2016.

09:36:35 22 Q. As a staff engineer, what kind of projects were you
09:36:37 23 working on?

09:36:40 24 A. I was working on design of composite structures for
09:36:44 25 aircraft engine.

ZHENG - DIRECT (Glatfelter)

7

09:36:45 1 Q. Was there a particular engine that you were working on
09:36:49 2 the design for?

09:36:50 3 A. I was working on GENx and GE9X engine, part of Boeing
09:36:59 4 777 and the 787.

09:37:01 5 Q. And which is -- which one of those is GE's newest engine?

09:37:09 6 A. GE9X.

09:37:10 7 Q. Okay. And do you have a particular -- a particular area
09:37:16 8 that you focus on? You said -- you mentioned composites. Is
09:37:21 9 there a particular part of composites that you focus on?

09:37:27 10 A. I was focus on fan containment case, which is fan case
09:37:31 11 contain rotating fan blades in the aircraft engine.

09:37:35 12 Q. All right. Now, among aviation companies like GE
09:37:40 13 Aviation, Rolls-Royce, and Pratt & Whitney, does GE have any
09:37:45 14 unique technology that other companies do not have certified
09:37:49 15 yet?

09:37:50 16 A. GE has unique advantages in -- technical advantage in
09:37:56 17 composite fan containment case and composite fan blade,
09:38:01 18 compared to other competitors.

09:38:02 19 Q. And is this the area where you worked?

09:38:07 20 A. I was working on composite fan containment case.

09:38:09 21 Q. And during the course of your career at GE Aviation, did
09:38:13 22 you learn specialized things about the composite system?

09:38:19 23 A. Can you repeat your question?

09:38:20 24 Q. While you were working at GE Aviation, did you learn
09:38:25 25 about information that you could not share with others outside

ZHENG - DIRECT (Glatfelter)

8

09:38:28 1 of GE Aviation?

09:38:29 2 A. Yes. That's the -- while I learn in GE and I was
09:38:35 3 working on is a GE proprietary information.

09:38:39 4 Q. And can you tell me the categories of information that
09:38:44 5 we're talking about? For example, like testing data or design
09:38:49 6 data? What kind of categories of information did you have
09:38:53 7 access to when you were working at GE Aviation?

09:38:55 8 A. I had access to most testing and a design system,
09:39:03 9 design specifications for composite structures.

09:39:08 10 Q. And those structures related to the fan -- fan blade
09:39:11 11 encasement?

09:39:12 12 A. That's correct.

09:39:14 13 Q. And were there measures in place at GE Aviation to
09:39:19 14 protect the information that you were working on?

09:39:22 15 A. Yeah, they have export controlled, which you have to go
09:39:27 16 through rigorous training in order to be able to access this
09:39:32 17 information.

09:39:33 18 Q. Were there physical security measures around the campus
09:39:42 19 before you could walk into your office?

09:39:44 20 A. Yes, you have to we call blue badge in order to access
09:39:50 21 certain area of the building. In the office building you
09:39:53 22 had to scan in, and in order to be able to access.

09:39:59 23 Q. And were there any security measures in place -- well,
09:40:05 24 let me back up for a second.

09:40:06 25 As an engineer working at GE, were you issued a laptop?

ZHENG - DIRECT (Glatfelter)

9

09:40:11 1 A. Can you repeat your question?

09:40:12 2 Q. I'm sorry. As an engineer working at GE Aviation, were

09:40:16 3 you issued a computer?

09:40:17 4 A. Yes.

09:40:19 5 Q. Okay. And were there security measures in place

09:40:23 6 regarding your computer?

09:40:24 7 A. Yeah. There are certain encrypt hardware, and you have

09:40:31 8 to use certain token in order to be able to access the

09:40:36 9 computer.

09:40:37 10 Q. You mentioned training before. Did you receive training

09:40:40 11 about GE's protections of its technology?

09:40:45 12 A. Yeah, I did. I receive several trainings.

09:40:50 13 Q. All right. Now, sir, at some point did you give a

09:40:54 14 presentation at NUAA in China about aviation technology?

09:41:00 15 A. Yeah, I was invited by NUAA give a presentation in

09:41:07 16 2017, May of 2017.

09:41:08 17 Q. Did you tell anyone at GE Aviation that you were going to

09:41:10 18 give that presentation at NUAA?

09:41:13 19 A. I did not.

09:41:14 20 Q. And did you tell anyone at GE Aviation about the

09:41:17 21 presentation when you returned from the trip?

09:41:20 22 A. I did not.

09:41:21 23 Q. In preparing for that trip, did you take some material

09:41:27 24 that was export controlled to China?

09:41:29 25 A. Yes. I access five training files and zipped it into

ZHENG - DIRECT (Glatfelter)

10

09:41:39 1 my personal computer and carried it in my personal computer
09:41:44 2 to China.

09:41:45 3 Q. Did you ask permission to take that information to China?

09:41:49 4 A. I did not.

09:41:50 5 Q. Did your employment with GE end as a consequence of your
09:41:53 6 actions?

09:41:53 7 A. Yes, my employment was terminated in early 2018.

09:41:58 8 Q. In 2017, after you returned from your trip, did you speak
09:42:06 9 with agents about your presentation at some point?

09:42:09 10 A. I was interviewed by Agent Hull about the presentation.

09:42:17 11 Q. And as a result of that interview, what, if anything, did
09:42:20 12 you agree to do?

09:42:21 13 A. I agreed to cooperate with the government about what
09:42:26 14 happened in the presentation and what I shared.

09:42:30 15 Q. All right. And at some point did you enter into an
09:42:33 16 agreement with the U.S. Attorney's Office?

09:42:37 17 A. Yeah, I enter into a non-prosecution agreement with the
09:42:40 18 U.S. government, with FBI.

09:42:42 19 Q. And can you explain to the jury in general term --
09:42:46 20 generally what that means?

09:42:46 21 A. That means I have to fully cooperate with the U.S.
09:42:51 22 government into the investigation of this case.

09:42:58 23 Q. And in return for cooperating, did the government agree
09:43:06 24 to do anything?

09:43:07 25 A. They agreed to not prosecuting me for my export

ZHENG - DIRECT (Glatfelter)

11

09:43:13 1 controlled violation.

09:43:14 2 Q. Now, does that agreement also require you to testify if
09:43:20 3 asked?

09:43:20 4 A. Yes.

09:43:21 5 Q. Now, earlier you mentioned that you cooperated with the
09:43:23 6 FBI. How did you cooperate?

09:43:25 7 A. Whenever I receive phone call about what I should do
09:43:32 8 next, I follow the direction.

09:43:34 9 Q. Okay. Was there a person at FBI that you mainly were in
09:43:40 10 contact with?

09:43:41 11 A. Agent Hull.

09:43:43 12 Q. And just broadly, what did Agent Hull ask you to do?

09:43:48 13 A. He ask me to make phone calls and send WeChat messages
09:43:54 14 and send emails.

09:43:57 15 Q. And was your attorney present with you during most of
09:44:00 16 your meetings with Agent Hull?

09:44:03 17 A. Can you repeat your question?

09:44:04 18 Q. I'm sorry. I'm talking too fast.

09:44:07 19 Was your attorney present with you during most of your
09:44:09 20 meetings with Agent Hull?

09:44:10 21 A. Yes.

09:44:11 22 Q. How would you describe your relationship with Agent Hull?

09:44:14 23 A. We had good relationship.

09:44:19 24 Q. All right. Now, you said you were asked to communicate.
09:44:21 25 Who were you asked to communicate with?

ZHENG - DIRECT (Glatfelter)

12

09:44:24 1 A. I was asking to communicate with the contact at NUAA,
09:44:35 2 several contacts at NUAA.

09:44:37 3 Q. Okay. And can you tell the jury the specific names of
09:44:40 4 the people you were asked to contact?

09:44:42 5 A. I was asked to contact Mr. Feng, Chen Feng, who was the
09:44:50 6 original -- I was originally communicate about my
09:44:58 7 presentation. Then I was asked to contact Mr. Qu.

09:45:03 8 Q. And we'll come back to those two individuals in a moment.
09:45:07 9 But you mentioned that you were asked to communicate or sent
09:45:11 10 communications via WeChat. Can you tell the members of the
09:45:15 11 jury what WeChat is?

09:45:16 12 A. WeChat is similar social media application, like a
09:45:24 13 Facebook.

09:45:25 14 Q. And what are the different ways that you can use WeChat?

09:45:30 15 A. You can make a phone calls, send messages, and share
09:45:35 16 pictures, moments.

09:45:38 17 Q. And you said you could make phone calls through WeChat?

09:45:42 18 A. Yes.

09:45:42 19 Q. Did you do that during the course of cooperating with
09:45:47 20 Agent Hull?

09:45:47 21 A. Yeah, I did a couple of phone calls under the direction
09:45:49 22 of Agent Hull.

09:45:51 23 Q. Did you communicate via email at all?

09:45:55 24 A. Yes.

09:45:59 25 Q. And these communications were all at the direction of the

ZHENG - DIRECT (Glatfelter)

13

09:46:03 1 FBI?

09:46:04 2 A. Yes.

09:46:06 3 Q. Now, I want to return to those two individuals that you
09:46:10 4 were asked to contact. You said you were asked to contact
09:46:13 5 Mr. Feng?

09:46:14 6 A. Yes.

09:46:15 7 Q. Okay. Can you spell that for the court reporter?

09:46:17 8 A. Mr. Chen, his last name is C-H-E-N. First name is
09:46:27 9 F-E-N-G.

09:46:33 10 Q. And had you communicated with him before?

09:46:35 11 A. We connected through LinkedIn, which is professional
09:46:41 12 social network. That's the beginning. Then transition to
09:46:46 13 email communications.

09:46:47 14 Q. And have you ever met Mr. Chen in person?

09:46:51 15 A. Before my trip I never met him.

09:46:55 16 Q. Okay. Did you meet him during your trip?

09:46:56 17 A. I met him during my trip to NUAA.

09:47:02 18 Q. And how long would you say that you spent with Mr. Chen
09:47:08 19 during that trip?

09:47:10 20 A. About less -- about a day. I got there the night
09:47:16 21 before and spend the day in NUAA, and then I left in the
09:47:22 22 evening.

09:47:23 23 Q. All right. And your trip to NUAA, that all happened
09:47:27 24 before you were asked by Agent Hull to cooperate, right?

09:47:31 25 A. Can you repeat your question?

ZHENG - DIRECT (Glatfelter)

14

09:47:34 1 Q. The communication and the interaction with Mr. Chen that
09:47:37 2 you were just describing, did that happen before or after you
09:47:42 3 began to work with Agent Hull?

09:47:44 4 A. That's before.

09:47:48 5 Q. All right. Now, you also mentioned that you were asked
09:47:52 6 to communicate with Mr. Qu; is that right?

09:47:57 7 A. Yes.

09:47:58 8 Q. Okay. And had you met Mr. Qu before?

09:48:02 9 A. I did not meet with him until the trip to NUAA.

09:48:08 10 Q. So you met with him during that same trip that you met
09:48:11 11 Mr. Chen?

09:48:12 12 A. That is correct.

09:48:13 13 Q. Okay. And that was before Mr. Hull asked you to contact
09:48:20 14 him?

09:48:20 15 A. That's correct.

09:48:20 16 Q. All right. And during that trip, how long would you say
09:48:26 17 that you spent interacting with Mr. Qu?

09:48:30 18 A. In the same day, just the one day during that trip.

09:48:34 19 Q. And during those interactions, did Mr. Qu introduce
09:48:39 20 himself to you?

09:48:40 21 A. He introduced himself as the deputy director of Jiangsu
09:48:49 22 Province Science and Technology Association.

09:48:51 23 Q. Did he provide you with any identification during that
09:48:53 24 trip?

09:48:53 25 A. He provided me with his business card.

ZHENG - DIRECT (Glatfelter)

15

09:48:57 1 Q. And what did you do with that business card?

09:48:59 2 A. I just put in my suit -- my backpack and carried back
09:49:09 3 when I came back home.

09:49:10 4 Q. And did you save that?

09:49:11 5 A. It -- yes.

09:49:13 6 Q. Did you provide that to the FBI?

09:49:15 7 A. Yes.

09:49:18 8 MS. GLATFELTER: Your Honor, at this time I'd ask to
09:49:20 9 publish to the witness and to the jury 63b, which has been
09:49:27 10 admitted.

09:49:28 11 THE COURT: Yes.

09:49:29 12 BY MS. GLATFELTER:

09:49:29 13 Q. All right, sir. If you can look at your screen for a
09:49:31 14 moment. Do you recognize what's been admitted as Government's
09:49:40 15 Exhibit 63b?

09:49:42 16 A. Yes.

09:49:42 17 Q. What is that?

09:49:43 18 A. It's Mr. Qu's business card.

09:49:48 19 Q. You mention that you had the opportunity to spend some
09:49:51 20 time with Mr. Chen and Qu, Mr. Qu during your trip. Based on
09:49:56 21 your observations, did they appear to know each other?

09:50:00 22 A. They appear to know each other.

09:50:03 23 Q. And based on your observations, what was your impression
09:50:07 24 of Mr. Qu's rank?

09:50:09 25 A. He -- he's high profile.

ZHENG - DIRECT (Glatfelter)

16

09:50:13 1 Q. What gave you that impression?

09:50:14 2 A. He -- he said he will fund my trip for the expenses and
09:50:22 3 my presentation.

09:50:24 4 Q. And based on that, you understood him to have that sort
09:50:30 5 of rank and relation to Mr. Chen?

09:50:33 6 A. Yes.

09:50:33 7 Q. All right. I'm going to ask you to look around the
09:50:38 8 courtroom at this time and ask us -- and tell us if you see
09:50:42 9 the Mr. Qu that you are referring to.

09:50:46 10 A. (Indicating.)

09:50:57 11 MS. GLATFELTER: Let the record reflect that the
09:50:58 12 defendant -- or that the witness has pointed to the defendant.

09:51:02 13 THE COURT: Yes.

09:51:04 14 BY MS. GLATFELTER:

09:51:04 15 Q. Now, we'll come back to your trip to China in a little
09:51:07 16 bit, but I want to talk about your communication with these
09:51:11 17 individuals at Agent Hull's request.

09:51:14 18 You said that you communicated via WeChat. I'd like to
09:51:18 19 show you some communications. Specifically, I'd like to
09:51:22 20 publish to the jury what's been admitted as Exhibit 67c.

09:51:27 21 THE COURT: Yes.

09:51:30 22 BY MS. GLATFELTER:

09:51:30 23 Q. Can you look at your screen in front of you? Do you
09:51:36 24 recognize just generally this page?

09:51:41 25 A. Yes.

ZHENG - DIRECT (Glatfelter)

17

09:51:42 1 Q. Okay. And can you describe -- you are going to have to
09:51:45 2 speak into your microphone or move it over towards you.

09:51:50 3 Do you recognize this page?

09:51:52 4 A. Yes.

09:51:52 5 Q. Okay. And I want to use this to describe to the jury
09:51:55 6 what we're seeing on this page. All right. We see a little
09:52:00 7 picture on the right-hand side. Can you describe what that
09:52:03 8 is?

09:52:04 9 A. That's my WeChat profile picture.

09:52:09 10 Q. And that shows up when you communicate on WeChat?

09:52:13 11 A. That's correct.

09:52:17 12 MS. GLATFELTER: Okay. If we can turn to page 7,
09:52:22 13 please.

09:52:22 14 BY MS. GLATFELTER:

09:52:27 15 Q. And do you see the picture on the left of the screen?

09:52:32 16 A. Yes, that's Mr. Qu's WeChat profile picture.

09:52:39 17 Q. And that's the way you contacted him through WeChat?

09:52:42 18 A. That's correct.

09:52:43 19 MS. GLATFELTER: Okay. And if we can scroll down to
09:52:45 20 the bottom of that page.

09:52:45 21 BY MS. GLATFELTER:

09:52:49 22 Q. Do you see the green message on your screen?

09:52:52 23 A. Yes.

09:52:54 24 Q. Is that a message that you sent at Mr. Hull's request, or
09:53:01 25 Agent Hull's request?

ZHENG - DIRECT (Glatfelter)

18

09:53:01 1 A. Yes.

09:53:02 2 Q. Okay. Tell us -- the jury the process that you went

09:53:05 3 through in sending these WeChat messages. How did it work?

09:53:11 4 A. Basically, I got a phone call from Mr. Hull, Agent

09:53:20 5 Hull, and he -- he will ask me what -- what to send. And I

09:53:30 6 will translate that into Chinese and sent the conversation

09:53:39 7 to Mr. Qu.

09:53:41 8 Q. Okay. So Agent Hull would tell you -- if I understand

09:53:45 9 you, Agent Hull would tell you what he wanted you to say?

09:53:49 10 A. That's correct.

09:53:49 11 Q. And you would type it into Chinese?

09:53:51 12 A. That's correct.

09:53:51 13 Q. Some of the times did you -- that you met, did you also

09:53:54 14 meet in person with Agent Hull?

09:53:56 15 A. Yes.

09:53:57 16 Q. And sometimes it was over the phone?

09:54:00 17 A. Yes, sometimes it was over the phone.

09:54:05 18 Q. Okay. And did your attorney join you at those meetings

09:54:07 19 with Mr. Hull and on the phone with Mr. Hull?

09:54:11 20 A. Yes, most of the time.

09:54:14 21 Q. Okay. If you can go ahead and read the message on the

09:54:18 22 screen to the jury.

09:54:20 23 A. "Director Qu, Merry Christmas and Happy New Year. I

09:54:28 24 apologize for the delay. I was overwhelmed by the work and

09:54:34 25 holidays. Thank you for arranging the S & T Association to

ZHENG - DIRECT (Glatfelter)

19

09:54:41 1 work on this. I will finalize my trip soon and forward it
09:54:48 2 to you.

09:54:51 3 "Also, even though school will be in off-session during
09:54:56 4 the Chinese New Year, is there any material you want me to
09:55:00 5 prepare? Since this trip is arranged by the Provincial S &
09:55:07 6 T Association, it would be a great honor for me to meet with
09:55:12 7 the leaders from S & T Association if possible."

09:55:18 8 MS. GLATFELTER: And if we can scroll up just a
09:55:20 9 little bit, Ms. Prim, so he can see the date on the message.

09:55:20 10 BY MS. GLATFELTER:

09:55:26 11 Q. Roughly, when were you sending WeChat communications at
09:55:30 12 Agent Hull's direction? Like what months generally?

09:55:32 13 A. It was in January 2018.

09:55:36 14 Q. And did that continue for a few months?

09:55:38 15 A. Yes.

09:55:39 16 Q. Okay. And was this -- can you describe where this
09:55:43 17 message was in the process of your cooperation?

09:55:48 18 A. This is in very early.

09:55:50 19 Q. Very early stages?

09:55:51 20 A. Yes.

09:55:52 21 MS. GLATFELTER: Okay. And if we can go to the next
09:55:54 22 page, Ms. Prim.

09:55:54 23 BY MS. GLATFELTER:

09:55:58 24 Q. And you see a message there on the left. Who is that
09:56:01 25 message from?

ZHENG - DIRECT (Glatfelter)

20

09:56:01 1 A. It's from Mr. Qu.

09:56:08 2 Q. And the date of this message?

09:56:10 3 A. It's in January 8, 2018.

09:56:12 4 Q. And what did Mr. Qu say in response to you, to your
09:56:18 5 message?

09:56:18 6 A. He said, "I will touch base with the scientific
09:56:21 7 research department to see what technology is desired, and I
09:56:26 8 will let you know what to prepare. For your end, please
09:56:31 9 prepare the plane ticket and date as soon as possible. It's
09:56:38 10 almost New Year spring break and school will be empty. Many
09:56:47 11 departments are in holiday mode."

09:56:50 12 Q. Okay. Now, sir, you mentioned that you also communicated
09:56:56 13 via email with Mr. Qu?

09:56:58 14 A. Yes.

09:56:59 15 Q. If we could --

09:57:05 16 MS. GLATFELTER: Permission to show to the witness
09:57:07 17 and publish to the jury what's been admitted as Exhibit 69?

09:57:10 18 THE COURT: 69, we'll show it to everyone.

09:57:15 19 BY MS. GLATFELTER:

09:57:15 20 Q. Sir, do you recognize generally what we're looking at in
09:57:18 21 Exhibit 69?

09:57:19 22 A. Yes. This is a email I communicate with Mr. Qu.

09:57:24 23 Q. Okay. Is this an email that you received?

09:57:26 24 A. Yes.

09:57:30 25 MS. GLATFELTER: Okay. And if we can go to the

ZHENG - DIRECT (Glatfelter)

21

09:57:31 1 second page. And scroll into the translation at the bottom.

09:57:42 2 BY MS. GLATFELTER:

09:57:43 3 Q. Sir, can you go ahead and read this message and let us
09:57:46 4 know if this is one of the messages you received?

09:57:49 5 A. "Hello. I -- teacher. I received the document you
09:57:54 6 sent to me. Since I am not the expert in this field, I want
09:58:00 7 to spend time to dialog with the expert in China for a more
09:58:05 8 precise connection. How about eighth day after the New
09:58:12 9 Year, which is February 23rd.

09:58:16 10 "Also, attached file is some domestic requirements that
09:58:22 11 I know of. Can you take a look and let me know if you are
09:58:27 12 familiar with this?"

09:58:30 13 Q. And, sir, you are doing a great job keeping your voice
09:58:34 14 up. You can back up just a little bit from the microphone.
09:58:37 15 There you go.

09:58:38 16 And was there an attachment to this email?

09:58:40 17 A. Yes.

09:58:43 18 MS. GLATFELTER: Okay. If we can look at the last
09:58:45 19 page.

09:58:45 20 BY MS. GLATFELTER:

09:58:50 21 Q. Sir, was this the attachment to the email?

09:58:51 22 A. Yeah, this is translate for the attachment of the
09:58:56 23 email.

09:58:58 24 Q. Okay. And were there terms in this attachment that
09:59:04 25 related to the composite work?

ZHENG - DIRECT (Glatfelter)

22

09:59:08 1 A. Yes. It say the third bullet, "How are the allowed
09:59:24 2 value for the 3-D braided structural material?"
09:59:27 3 This is very specific.
09:59:29 4 Q. Based on your work at GE Aviation?
09:59:30 5 A. Yes.
09:59:31 6 Q. Okay. Now, I'd like you to take a look at another email.
09:59:37 7 If we can --
09:59:38 8 MS. GLATFELTER: Permission to show the witness and
09:59:40 9 publish to the jury what's been admitted as Exhibit 70?
09:59:44 10 THE COURT: Yes.
09:59:46 11 BY MS. GLATFELTER:
09:59:47 12 Q. Sir, is this an example of an email that you received
09:59:51 13 from Mr. Qu?
09:59:52 14 A. Yes.
09:59:52 15 Q. And if we can look at page 2, the translation.
10:00:03 16 And can you tell us what Mr. Qu, what, if anything, he
10:00:08 17 asked you to do in this email?
10:00:10 18 A. He asked me, "Can you sort out a directory for your
10:00:16 19 return" -- in the computer -- "for your return trip to
10:00:21 20 China."
10:00:23 21 Q. Okay. And was there an attachment to this email?
10:00:26 22 A. Yes.
10:00:29 23 MS. GLATFELTER: Okay. If we can look at page 4.
10:00:34 24 And zoom into the bottom.
10:00:34 25 BY MS. GLATFELTER:

ZHENG - DIRECT (Glatfelter)

23

10:00:38 1 Q. Sir, was this the attachment to the email?

10:00:42 2 A. Yes.

10:00:42 3 Q. Okay. And can you read the top paragraph to the jury?

10:00:47 4 Just the top box?

10:00:48 5 A. "Mr. Zheng, can you sort out a table of contents for

10:00:55 6 your return trip to China.

10:00:57 7 "Here is how."

10:00:59 8 Q. And in the box below, are there what appear to be

10:01:06 9 instructions?

10:01:06 10 A. That's correct?

10:01:06 11 Q. And did you provide these emails to Agent Hull when you

10:01:09 12 received them?

10:01:10 13 A. Yes.

10:01:10 14 Q. And did he ask you to respond to this email?

10:01:14 15 A. He did.

10:01:17 16 MS. GLATFELTER: If we can -- permission to show the

10:01:19 17 witness and publish to the jury what's been admitted as

10:01:22 18 Exhibit 72?

10:01:23 19 THE COURT: Yes, 72, we'll show it to all.

10:01:27 20 BY MS. GLATFELTER:

10:01:27 21 Q. Was this the response email that Agent Hull directed you

10:01:30 22 to send?

10:01:31 23 A. Yes, yes.

10:01:34 24 MS. GLATFELTER: And if we can look at page 6 of the

10:01:37 25 exhibit.

ZHENG - DIRECT (Glatfelter)

24

10:01:37 1 BY MS. GLATFELTER:

10:01:44 2 Q. Was this document something that you created or that
10:01:48 3 Agent Hull gave to you?

10:01:50 4 A. Agent Hull --

10:02:00 5 THE COURT: Is something going on with the
10:02:02 6 microphones?

10:02:03 7 MS. GLATFELTER: I think all the microphones are
10:02:05 8 off.

10:02:06 9 THE COURT: That's almost beyond my expertise.

10:02:10 10 Do you want to proceed without microphones? We may have
10:02:14 11 to restart.

10:02:18 12 THE COURTROOM DEPUTY: I will restart it.

10:02:19 13 THE COURT: How long will that take?

10:02:22 14 THE COURTROOM DEPUTY: Just a minute or two.

10:02:24 15 THE COURT: So we will be very quiet for a minute or
10:02:29 16 two.

10:03:26 17 (Pause.)

10:03:28 18 THE COURT: Is your microphone now working, sir? I
10:03:32 19 was able to fix it.

10:03:34 20 Ms. Glatfelter, you may proceed.

10:03:39 21 MS. GLATFELTER: Thank you, Your Honor.

10:03:40 22 BY MS. GLATFELTER:

10:03:40 23 Q. I believe we were looking at page 6 of Exhibit 72.

10:03:48 24 THE COURT: Give us just a moment.

10:03:50 25 MS. GLATFELTER: Yes, Your Honor.

ZHENG - DIRECT (Glatfelter)

25

10:03:52 1 (Pause.)

10:03:55 2 THE COURT: I believe it's up.

10:03:56 3 MS. GLATFELTER: Thank you.

10:03:58 4 BY MS. GLATFELTER:

10:03:59 5 Q. Is this a page from the attachment that Agent Hull gave

10:04:05 6 you to send to Mr. Qu?

10:04:06 7 A. Yes.

10:04:07 8 Q. Okay. And if we look at the screen on -- on page 6. Do

10:04:15 9 you see the term "trenchfiller"?

10:04:20 10 A. Yes.

10:04:21 11 Q. And do you see the term "hat stiffener"?

10:04:26 12 A. Yes.

10:04:27 13 Q. All right. And what about VSE?

10:04:31 14 A. It's a vendor substantiation engineering.

10:04:38 15 Q. Okay. You see that term on this screen as well?

10:04:40 16 A. Yes.

10:04:40 17 Q. And do any of the files --

10:04:45 18 MS. GLATFELTER: If we scroll down a little bit,

10:04:46 19 Ms. Prim.

10:04:46 20 BY MS. GLATFELTER:

10:04:47 21 Q. Do any of the files have the number 2695M84? Do you see

10:04:56 22 any files that have M84 at the end?

10:05:02 23 A. Can you repeat the number, please?

10:05:04 24 Q. 2695M84.

10:05:10 25 A. Yes.

ZHENG - DIRECT (Glatfelter)

26

10:05:13 1 MS. GLATFELTER: All right. If we can go ahead, and
10:05:17 2 permission to show the witness and publish to the jury what's
10:05:19 3 been admitted as Exhibit 73?

10:05:22 4 THE COURT: Yes.

10:05:32 5 BY MS. GLATFELTER:

10:05:33 6 Q. Sir, do you recognize Exhibit 73?

10:05:35 7 A. Yes.

10:05:37 8 Q. And what is it?

10:05:38 9 A. It's a email I was direct by Agent Hull to send to
10:05:44 10 Mr. Qu.

10:05:44 11 Q. Okay. And I'd like to look at page 2 of this email.

10:05:52 12 Is this a translation of the email that you received?

10:05:56 13 A. Yes.

10:05:57 14 Q. All right. And if you can read the last paragraph that
10:06:01 15 starts with "In addition," please.

10:06:07 16 A. "In addition, I need to ask you about a few specific
10:06:11 17 terms in the material sent by you last time: PSE, VSE,
10:06:20 18 trenchfiller, hat stiffener, and document 2695M84. What are
10:06:31 19 those referring to?"

10:06:34 20 Q. And you're doing a great job keeping your voice up. You
10:06:39 21 can just stay where you are. I think we'll all be able to
10:06:41 22 hear you.

10:06:42 23 Are those terms that we saw in the attachment that you
10:06:45 24 just referenced before?

10:06:46 25 A. Yes.

ZHENG - DIRECT (Glatfelter)

27

10:06:47 1 Q. Okay. Are those some terms that are used at GE Aviation
10:06:51 2 in relation to composite fan blades or fan encasements?

10:06:59 3 A. It is related to fan case.

10:07:00 4 Q. All right. Now, earlier when we were talking about the
10:07:06 5 ways that you communicated with Mr. Qu, you mentioned phone
10:07:09 6 calls. Do you remember that?

10:07:10 7 A. Yes.

10:07:11 8 Q. Okay.

10:07:12 9 MS. GLATFELTER: Permission to show the witness and
10:07:13 10 publish to the jury what's been admitted as Exhibit 67c, page
10:07:19 11 27.

10:07:21 12 THE COURT: Yes.

10:07:25 13 BY MS. GLATFELTER:

10:07:26 14 Q. Do you see an image on your screen, sir?

10:07:29 15 A. Yes.

10:07:30 16 Q. Okay. And what generally are we looking at on the
10:07:34 17 screen?

10:07:34 18 A. It's a phone call I had with Mr. Qu.

10:07:40 19 Q. Okay. And is this a screenshot of a type of
10:07:42 20 communication that you had with Mr. Qu?

10:07:44 21 A. Yes.

10:07:44 22 Q. Okay. What is this? Like is this a WeChat?

10:07:49 23 A. It's a WeChat.

10:07:51 24 Q. And are you able to make phone calls through WeChat?

10:07:56 25 A. Yes.

ZHENG - DIRECT (Glatfelter)

28

10:07:56 1 Q. Do you see one on the screen here?

10:07:59 2 A. Yeah, it's in the middle, around 11:30 a.m.

10:08:05 3 Q. All right. And how long was the phone call?

10:08:06 4 A. It's 14 minutes, 20 seconds.

10:08:12 5 Q. Okay. How did you -- strike that.

10:08:15 6 Was anyone else present when you had the phone call with
10:08:18 7 Mr. Qu?

10:08:19 8 A. I was with Agent Hull.

10:08:25 9 MS. GLATFELTER: And if we can turn to 75b, which
10:08:30 10 has been admitted. I'd ask permission to show the witness and
10:08:34 11 publish to the jury?

10:08:36 12 THE COURT: Yes.

10:08:36 13 BY MS. GLATFELTER:

10:08:36 14 Q. And, sir, do you recognize this as the transcript of that
10:08:40 15 phone call?

10:08:40 16 A. Yes.

10:08:44 17 MS. GLATFELTER: I'd like to turn to page 7. And at
10:08:48 18 the bottom.

10:08:48 19 BY MS. GLATFELTER:

10:08:53 20 Q. During your conversation with Mr. Qu, did he reference
10:09:00 21 the file directory that he had asked for and you had sent
10:09:05 22 before?

10:09:06 23 A. Yes, at the bottom he said, "We took a look. I think
10:09:14 24 that, uh, that is pretty good stuff. I wonder if that's
10:09:18 25 convenient for you to bring that stuff, this time to

ZHENG - DIRECT (Glatfelter)

29

10:09:21 1 Europe."

10:09:23 2 Q. Okay. And how did you respond?

10:09:27 3 A. I said, "I for sure will bring my computer with me."

10:09:34 4 Q. Okay. And that was in response to his statement about
10:09:37 5 "the good stuff"?

10:09:39 6 A. Yes.

10:09:42 7 Q. Now, after this phone call, did you have more
10:09:45 8 conversations with Mr. Qu via WeChat?

10:09:48 9 A. Yes.

10:09:50 10 MS. GLATFELTER: Okay. If we can go back to Exhibit
10:09:52 11 67c, which has been admitted. And permission to show the
10:09:57 12 witness and show to the jury page 34?

10:10:00 13 THE COURT: Yes.

10:10:02 14 BY MS. GLATFELTER:

10:10:02 15 Q. And after this phone call, did you continue to
10:10:05 16 communicate with Mr. Qu at FBI's direction?

10:10:08 17 A. Yes.

10:10:10 18 Q. All right. And is this page an example of those
10:10:12 19 communications?

10:10:13 20 A. That's correct.

10:10:14 21 Q. Okay. I'd like to direct your attention to the middle of
10:10:17 22 that page.

10:10:22 23 And after the phone call, what, if anything, did Mr. Qu
10:10:27 24 ask you for?

10:10:28 25 A. He ask, "Regarding the document directory you sent last

ZHENG - DIRECT (Glatfelter)

30

10:10:33 1 time, is it possible to dump it to a portable hard drive or
10:10:39 2 USB drive from work computer in advance?"

10:10:43 3 Q. And how did you response?

10:10:44 4 A. I said, "I can try. It should work."

10:10:48 5 Q. And was your response something that you had discussed
10:10:53 6 with Agent Hull?

10:10:54 7 A. Yes.

10:10:56 8 Q. Now, after these communications, at some point did you
10:11:00 9 travel to Europe to meet with Mr. Qu?

10:11:04 10 A. Yes.

10:11:05 11 Q. Where did you travel to?

10:11:06 12 A. Belgium.

10:11:09 13 Q. Who, if anyone, went with you to Belgium?

10:11:12 14 A. Agent Hull.

10:11:14 15 Q. And were there some other FBI personnel who went on the
10:11:18 16 trip?

10:11:18 17 A. Yeah, and a couple of FBI personnel.

10:11:22 18 Q. When you arrived, did you continue to communicate with
10:11:26 19 Mr. Qu?

10:11:28 20 A. Yes.

10:11:28 21 Q. And how did you communicate with him?

10:11:30 22 A. Through WeChat.

10:11:32 23 Q. Did you have phone calls with him as well?

10:11:37 24 A. Yes.

10:11:40 25 MS. GLATFELTER: Permission to show the witness and

ZHENG - DIRECT (Glatfelter)

31

10:11:41 1 publish to the jury 77c, which has been admitted?

10:11:45 2 THE COURT: Yes.

10:11:45 3 BY MS. GLATFELTER:

10:11:49 4 Q. Do you see the document on your screen, sir?

10:11:51 5 A. Yes.

10:11:54 6 Q. And what are we looking at on the screen?

10:11:58 7 A. This is a WeChat communicate I had with Mr. Qu under

10:12:01 8 the direction of FBI.

10:12:03 9 Q. Okay. Now, I want to focus your attention to the left

10:12:06 10 side of that screen. Do you see the picture that's there?

10:12:09 11 A. Yes.

10:12:10 12 Q. Okay. And what is that?

10:12:12 13 A. It's his WeChat profile picture.

10:12:17 14 Q. Okay. And is this different than the one that we saw

10:12:21 15 earlier?

10:12:21 16 A. Yeah, it is different.

10:12:23 17 THE COURT: Is it visible on the screen?

10:12:26 18 BY MS. GLATFELTER:

10:12:27 19 Q. Yes. Is it visible on the screen?

10:12:30 20 THE COURT: I'm asking your technician.

10:12:32 21 MS. GLATFELTER: Yes.

10:12:32 22 THE COURT: Very well.

10:12:35 23 MS. GLATFELTER: I'm sorry. I didn't know if you

10:12:37 24 wanted --

10:12:37 25 THE COURT: Does it need to go up or down?

10:12:40 1 MS. GLATFELTER: No.

10:12:40 2 BY MS. GLATFELTER:

10:12:40 3 Q. And you're talking about the small picture on the left?

10:12:43 4 A. That's correct.

10:12:44 5 Q. Is that sort of an icon when you're using WeChat?

10:12:47 6 A. Yes.

10:12:50 7 MS. GLATFELTER: One moment, Your Honor.

10:12:51 8 THE COURT: You're doing fine.

10:12:58 9 MS. GLATFELTER: The jury can see the document okay?

10:13:01 10 (Nodding heads.)

10:13:04 11 BY MS. GLATFELTER:

10:13:04 12 Q. How did you know that this was Mr. Qu when you were

10:13:08 13 communicating?

10:13:09 14 A. He first send France request and with a greeting

10:13:18 15 message.

10:13:19 16 Q. Okay. And did you later have phone calls with him that

10:13:23 17 confirmed it was him?

10:13:24 18 A. Yes.

10:13:26 19 Q. All right. And was this a different account than the one

10:13:28 20 he had been using previously?

10:13:30 21 A. It is different.

10:13:35 22 Q. Now, did you continue to communicate with Mr. Qu while

10:13:41 23 you were in Belgium?

10:13:43 24 A. Yes.

10:13:43 25 Q. Was that at the instruction of the FBI?

ZHENG - DIRECT (Glatfelter)

33

10:13:46 1 A. Yes.

10:13:47 2 Q. And, generally, what was the topic of your communications

10:13:52 3 in Belgium?

10:13:53 4 A. About where we meet and when should we meet.

10:13:58 5 Q. Okay. And can you describe to the jury what you mean by

10:14:01 6 that?

10:14:02 7 A. Basically a phone call about which city or country that

10:14:11 8 we will meet and the meeting time on which day.

10:14:18 9 Q. Okay. Was there a particular place that Mr. Qu wanted to

10:14:24 10 meet?

10:14:24 11 A. Yes. He want me -- want to meet at Lasergamen, in

10:14:31 12 Amsterdam.

10:14:33 13 Q. And were you able to go to Amsterdam?

10:14:39 14 A. I did not go. It was under the direction of FBI. We

10:14:44 15 had to meet at Belgium.

10:14:45 16 Q. Okay. And eventually did you agree to meet in Belgium

10:14:50 17 with Mr. Qu?

10:14:50 18 A. Yes.

10:14:51 19 Q. And did he show up to your meeting?

10:14:55 20 A. He did not.

10:14:56 21 Q. At this point, I want to pivot and I want to talk about

10:15:04 22 your trip to China in 2017, okay?

10:15:09 23 A. Okay.

10:15:10 24 Q. And you mentioned before that prior to your trip you were

10:15:15 25 communicating with Mr. Chen?

ZHENG - DIRECT (Glatfelter)

34

10:15:18 1 A. Yes.

10:15:19 2 Q. How did those communications start?

10:15:21 3 A. It started with he sent a request for the LinkedIn,

10:15:32 4 which is a professional social network. He was asking me to

10:15:37 5 give a presentation to NUAA.

10:15:42 6 Q. So did he contact you or did you contact him?

10:15:45 7 A. He contact me.

10:15:48 8 Q. And you mentioned NUAA. What does that stand for?

10:15:52 9 A. It's National University of Aeronautical and Aerospace.

10:16:03 10 Q. All right. And is the abbreviation NUAA?

10:16:07 11 A. Yes.

10:16:08 12 Q. Did you have any affiliation with NUAA when Mr. Chen

10:16:12 13 contacted you?

10:16:13 14 A. No.

10:16:13 15 Q. Do any of your family members or relatives have any

10:16:16 16 relationships with NUAA?

10:16:18 17 A. No.

10:16:19 18 Q. Do you know whether any of your colleagues at GE Aviation

10:16:24 19 have any association with NUAA?

10:16:26 20 A. No.

10:16:30 21 Q. Did you know Mr. Chen before this contact?

10:16:33 22 A. No.

10:16:34 23 Q. Now, you mentioned that your initial communication with

10:16:41 24 him happened through LinkedIn; is that right?

10:16:45 25 A. That's correct.

10:16:46 1 Q. Is there a way to send messages to people on LinkedIn?

10:16:51 2 A. You can.

10:16:52 3 Q. And does your LinkedIn profile, did it list your
10:16:57 4 affiliation with GE Aviation at that time?

10:16:59 5 A. Yes.

10:17:03 6 Q. And did it list anything about your career, what type of
10:17:07 7 work you were involved in?

10:17:09 8 A. It list briefly one of my -- what my work at
10:17:13 9 different -- at GE and what's my work from my graduate
10:17:21 10 degree, my education.

10:17:26 11 Q. Now, earlier you mentioned that you transitioned from
10:17:30 12 LinkedIn to another form of communication.

10:17:33 13 A. That's correct.

10:17:34 14 Q. And what was that second method you communicated with
10:17:38 15 him?

10:17:38 16 A. Through email.

10:17:41 17 MS. GLATFELTER: May I please publish to the jury
10:17:43 18 and to the witness Exhibit 60b, which has been admitted?

10:17:47 19 THE COURT: Yes.

10:17:51 20 MS. GLATFELTER: And if we can zoom in there.

10:17:54 21 BY MS. GLATFELTER:

10:17:55 22 Q. Do you recognize this document?

10:17:58 23 A. Yes.

10:18:03 24 Q. Okay. And if we can have a look at page 2 and 3 just so
10:18:08 25 the witness -- make sure the witness is seeing what we're

10:18:11 1 referring to.

10:18:13 2 MS. GLATFELTER: Okay. And the next page? All
10:18:15 3 right.

10:18:16 4 And if we can go back to page 1.

10:18:19 5 BY MS. GLATFELTER:

10:18:19 6 Q. So do you recognize these?

10:18:21 7 A. Yes.

10:18:27 8 Q. And what are they?

10:18:28 9 A. This email from Mr. Chen Feng.

10:18:34 10 Q. And that's the Mr. Chen that we have been referring to
10:18:38 11 here this morning?

10:18:38 12 A. That's correct.

10:18:38 13 Q. And what time period did these communications occur in?

10:18:43 14 A. Can you repeat your question?

10:18:46 15 Q. Sure. What time period, generally, did these
10:18:49 16 communications occur in?

10:18:51 17 A. This is around March of 2017.

10:18:56 18 Q. Okay. And can you read the email to the jury? That you
10:19:04 19 received.

10:19:04 20 Well, let me ask you a question. Was this the first
10:19:07 21 email that you received from Mr. Chen?

10:19:09 22 A. Yes.

10:19:14 23 Q. Okay. And can you read that to the jury, please?

10:19:17 24 And you can back off your microphone just a little bit,
10:19:20 25 okay? There you go.

ZHENG - DIRECT (Glatfelter)

37

10:19:21 1 A. "Hello. I'm sorry to bother you. I, Chen Feng, am in
10:19:28 2 charge of International Cooperation and Exchange Office at
10:19:33 3 NUAA. I am mainly in charge of matters related to the
10:19:38 4 exchanges with NUAA's overseas alumni, friendly
10:19:47 5 universities, and well-known institutions and business
10:19:51 6 people to promote NUAA's international exchange and
10:19:57 7 cooperation and drive NUAA's development of academic and
10:20:05 8 scientific research.

10:20:08 9 "I learned from your online resume that you have
10:20:12 10 accumulated a wealth of engineering experience in well-known
10:20:18 11 companies such as GE Aviation. In recent years, NUAA has
10:20:25 12 experienced rapid development, and the exchanges with
10:20:30 13 overseas high-level talents are increasingly frequent. This
10:20:38 14 has effectively strengthened the scientific research at
10:20:45 15 NUAA. Many eminent talents like you are willing to come to
10:20:53 16 NUAA to share their experience of success with NUAA faculty
10:21:00 17 and students. I would like to take this opportunity to
10:21:07 18 cordially invite you to come to NUAA for a visit and
10:21:13 19 exchange. There is no restrictions -- restriction on the
10:21:19 20 format of the exchange, and details can be agreed upon
10:21:24 21 later. NUAA can pay for the cost of your trip back to China
10:21:30 22 for the exchange. If you are interested, please feel free
10:21:35 23 to contact me.

10:21:38 24 "And my business email is jeremy@nuaa.edu.cn."

10:21:49 25 Q. In his first email to you, did Mr. Chen mention your

ZHENG - DIRECT (Glatfelter)

38

10:21:52 1 affiliation with GE Aviation?

10:21:54 2 A. Yes.

10:21:55 3 Q. And did you write back to Mr. Chen?

10:22:02 4 A. Can you repeat question?

10:22:05 5 Q. Did you respond to Mr. Chen's email?

10:22:08 6 A. Yes.

10:22:08 7 Q. Okay.

10:22:10 8 MS. GLATFELTER: If we can go to page 3, please.

10:22:19 9 And if we -- that's perfect.

10:22:23 10 BY MS. GLATFELTER:

10:22:23 11 Q. And was this your response to Mr. Chen?

10:22:25 12 A. Yes.

10:22:26 13 Q. And at the time that you were corresponding with

10:22:35 14 Mr. Chen, were you planning to go back to China?

10:22:38 15 A. Yes.

10:22:39 16 Q. Okay. And what, if anything, did you tell him about your
10:22:43 17 itinerary?

10:22:44 18 A. I said I was planning to make a trip back to China in
10:22:49 19 May to visit my parents. And if I will pass by Nanjing,
10:22:57 20 which is where the NUAA located, and I can -- if time allow,
10:23:03 21 I can have a visit to NUAA.

10:23:06 22 Q. Okay. And did you continue corresponding with Mr. Chen
10:23:11 23 through email?

10:23:11 24 A. Yes.

10:23:14 25 MS. GLATFELTER: If we can turn to page 12.

ZHENG - DIRECT (Glatfelter)

39

10:23:18 1 THE COURT: Yes.

10:23:20 2 MS. GLATFELTER: Thank you, Your Honor.

10:23:26 3 BY MS. GLATFELTER:

10:23:27 4 Q. Do you see the document on your screen?

10:23:28 5 A. Yes.

10:23:30 6 Q. Is this one of the emails from the emails that you
10:23:34 7 exchanged back and forth with Mr. Chen?

10:23:37 8 A. Yes.

10:23:37 9 Q. And can you go ahead and read this email to the jury?

10:23:43 10 A. "How are you?

10:23:44 11 "I have already contact the College of Energy and Power
10:23:51 12 Engineering here. They made a suggestion for your
10:23:55 13 presentation: 'Application, Design, and Manufacturing
10:24:02 14 Technologies of Composite Materials in Aircraft of Engines.'

10:24:11 15 "In terms of the content, it is suggested that you talk
10:24:15 16 about the following:

10:24:18 17 "Number 1, latest development in the application of
10:24:22 18 composite materials in aircraft engines.

10:24:27 19 "Number 2, development of design and analysis technique
10:24:35 20 and the manufacturing technologies of composite structural
10:24:40 21 materials for engines.

10:24:42 22 "In the meantime, you can also propose contents that
10:24:47 23 you would like to do in the exchange and in which you have
10:24:52 24 expertise. I can discuss that with the college on our side.

10:25:03 25 "In terms of time, it is tentatively scheduled for

ZHENG - DIRECT (Glatfelter)

40

10:25:10 1 around June 1st. After you have finalized the itinerary in
10:25:16 2 China, you can send me a copy of your schedule so I can make
10:25:22 3 arrangements for your room and board.

10:25:26 4 "Thanks again, and we welcome you to come to NUAA to
10:25:32 5 give lectures and do exchange."

10:25:36 6 Q. All right. Now, at the time that he sent -- Mr. Chen
10:25:41 7 sent this email to you, did he know your affiliation with GE
10:25:45 8 Aviation?

10:25:45 9 A. Yes.

10:25:49 10 MS. GLATFELTER: And if we could turn to the next
10:25:51 11 page, page 13, please.

10:26:04 12 BY MS. GLATFELTER:

10:26:04 13 Q. And did you respond to his email?

10:26:08 14 A. Yes.

10:26:12 15 Q. All right. And what did you tell him about the topics
10:26:18 16 that he had proposed to you in a prior email?

10:26:21 17 A. I respond to him regarding the presentation or the
10:26:26 18 seminar. "I think both subjects where he proposed are good.
10:26:32 19 However, I'm required to sign a technical agreement with the
10:26:38 20 company that I work for here. Therefore, a lot of work that
10:26:45 21 I have conducted at the company cannot be -- could not be
10:26:49 22 shared. I can only participate in a seminar or give a
10:26:54 23 general presentation."

10:26:57 24 Q. And why did you write that paragraph to him?

10:26:59 25 A. I do not want to share -- I did not want to share GE

ZHENG - DIRECT (Glatfelter)

41

10:27:05 1 proprietary information.

10:27:08 2 Q. Were you concerned that the proposed topic would touch on
10:27:12 3 GE Aviation -- that might touch on GE Aviation material?

10:27:15 4 A. Yes.

10:27:19 5 MS. GLATFELTER: And if we can go to page 18,
10:27:24 6 please.

10:27:29 7 BY MS. GLATFELTER:

10:27:30 8 Q. And how did Mr. Chen react to your email?

10:27:33 9 A. He said, "Regarding the content, we fully respect your
10:27:41 10 opinions and they will only discuss general topics in the
10:27:47 11 area of engine materials that will not violate company's
10:27:53 12 technical agreement requirements."

10:27:57 13 Q. So at this point, does he talk about the arrangements of
10:28:03 14 your trip?

10:28:05 15 A. Yes. He talk about in the second paragraph, he said,
10:28:10 16 "The leaders of the college would have specially planned to
10:28:16 17 host a welcome dinner party to -- for the visit and for the
10:28:23 18 presentation."

10:28:24 19 Q. Okay. And does he also say, "The leaders of the college
10:28:27 20 have specially planned to host a welcoming dinner party to
10:28:31 21 express our gratitude and show our friendship as the host in
10:28:36 22 our hope to establish a long-term academic cooperation
10:28:40 23 relationship with you?"

10:28:43 24 A. Yes.

10:28:43 25 Q. Does he also say, "The leaders of the college have told

ZHENG - DIRECT (Glatfelter)

42

10:28:46 1 me multiple times that they hoped you could stay over for a
10:28:49 2 night in Nanjing after the exchange, and we can arrange the
10:28:53 3 relevant lodging for you?"

10:28:54 4 A. Yes.

10:28:55 5 Q. And how does he suggest that you -- you arrive in
10:29:01 6 Nanjing?

10:29:02 7 A. He suggested they can arrange a chartered vehicle to
10:29:10 8 take me from Chuzhou to Nanjing.

10:29:20 9 Q. As it got closer to the trip -- let me back up a minute.
10:29:24 10 What's the date of this email?

10:29:27 11 A. It's on May, May 18 of 2017.

10:29:28 12 Q. And when was your trip to China?

10:29:30 13 A. It's on May 25th of 2017.

10:29:34 14 Q. So this is a little more than a week before your trip?

10:29:38 15 A. That's correct?

10:29:38 16 Q. And as it got closer to the trip, did you exchange
10:29:42 17 contact information with Mr. Chen?

10:29:44 18 A. Can you repeat your question?

10:29:50 19 Q. Did you -- as it got closer to the trip, did you exchange
10:29:54 20 contact information with Mr. Chen?

10:29:55 21 A. Yes. I exchange -- he ask for the WeChat.

10:30:01 22 Q. And is that how you communicated with him when you
10:30:04 23 arrived in China?

10:30:05 24 A. That's correct.

10:30:06 25 Q. We'll come back to the WeChat messages in a few minutes.

ZHENG - DIRECT (Glatfelter)

43

10:30:11 1 Before you left, I want to talk about your preparation
10:30:14 2 for the trip, all right? You said you left on what date?
10:30:18 3 A. May 25th.
10:30:21 4 Q. And to prepare for your presentation, what, if anything,
10:30:25 5 did you do, before you left?
10:30:27 6 A. I was preparing presentations based on public, some
10:30:33 7 public information. In addition, I zipped five GE training,
10:30:41 8 GE proprietary training material and saved it to my personal
10:30:46 9 computer.
10:30:49 10 Q. And were these the five files that you were referencing
10:30:52 11 early about export controlled?
10:30:56 12 A. That's correct.
10:30:57 13 Q. Did you ask anyone at GE for permission to take these
10:31:00 14 five files to China?
10:31:02 15 A. I did not.
10:31:03 16 Q. And how did you use these files once you were in China?
10:31:07 17 A. I was basically refining the presentation I prepared
10:31:13 18 before my trip and reference some of the contents in the
10:31:19 19 training material.
10:31:20 20 Q. Okay. Did you share these files with anyone?
10:31:27 21 A. No.
10:31:27 22 Q. You didn't share them with anyone while you were in
10:31:29 23 China?
10:31:30 24 A. No.
10:31:31 25 MS. GLATFELTER: Now, may I please show the witness

ZHENG - DIRECT (Glatfelter)

44

10:31:33 1 what has been marked as Exhibit 61? And this has not been
10:31:37 2 admitted yet, so just the witness.

10:31:39 3 THE COURT: Show it to the witness and counsel.

10:31:45 4 MS. GLATFELTER: Yes, please.

10:31:46 5 And if we could turn to page 2 so the witness can see the
10:31:50 6 different pages in this exhibit. Thank you.

10:31:53 7 BY MS. GLATFELTER:

10:31:53 8 Q. Do you recognize this?

10:31:54 9 A. Yes.

10:31:55 10 Q. And what are these?

10:31:56 11 A. This is preliminary itinerary for my trip.

10:32:03 12 Q. Is this something that you prepared?

10:32:04 13 A. Yes.

10:32:08 14 MS. GLATFELTER: I'd move to admit Exhibit 61 and
10:32:11 15 publish to the jury?

10:32:14 16 MR. McBRIDE: No objection, Your Honor.

10:32:15 17 THE COURT: Admitted. Publish.

10:32:17 18 (Government's Exhibit 61 was received in evidence.)

10:32:17 19 BY MS. GLATFELTER:

10:32:18 20 Q. Okay. Can you explain to the jury what page 2 is?

10:32:22 21 A. Page 2 is which dates, what I am going to do, when, and
10:32:28 22 where I arrive.

10:32:31 23 Q. Okay. And why did you prepare this?

10:32:33 24 A. I have -- I had a very condensed schedule, so I just
10:32:40 25 want to plan ahead.

ZHENG - DIRECT (Glatfelter)

45

10:32:42 1 Q. And you are detail oriented, right?

10:32:46 2 A. Yes.

10:32:46 3 Q. So you have an itinerary you created before your trip?

10:32:51 4 A. Yes.

10:32:51 5 MS. GLATFELTER: Now, if we scroll down to the

10:32:53 6 bottom.

10:32:53 7 BY MS. GLATFELTER:

10:32:56 8 Q. I notice that your trip to NUAA is not on your itinerary.

10:33:03 9 A. Yes.

10:33:04 10 Q. Okay. Was the trip finalized when you made the

10:33:06 11 itinerary?

10:33:08 12 A. It was not. That's why it was not in my itinerary.

10:33:13 13 Q. Now, when you left for China, how did you travel to get

10:33:17 14 there?

10:33:17 15 A. Can you repeat your question?

10:33:20 16 Q. Sure. When you left for China, how did you get there?

10:33:24 17 A. I took a plane from Detroit to Shanghai.

10:33:32 18 Q. Did you travel with anyone on your trip?

10:33:34 19 A. No.

10:33:37 20 Q. And did you take any electronic devices with you when you

10:33:40 21 traveled?

10:33:41 22 A. I took my personal computer and my personal phone.

10:33:48 23 Q. Did you take your GE computer?

10:33:50 24 A. No.

10:33:51 25 Q. Did you tell anyone on the trip that you brought your

10:33:57 1 personal computer, not your GE computer?

10:33:59 2 A. Can you repeat your question?

10:34:03 3 Q. Sure. Did you tell anyone on the trip that you brought
10:34:07 4 your personal computer, not your GE computer?

10:34:10 5 A. I told my boss before my trip, I said, I will not bring
10:34:16 6 GE computer. And I told my wife I will bring a personal
10:34:23 7 computer.

10:34:24 8 Q. Okay. I mean once you got to China, did you tell anyone
10:34:27 9 in China that you brought your personal computer and not your
10:34:30 10 GE computer?

10:34:31 11 A. I did not understand the question. Sorry.

10:34:39 12 Q. Did you tell anyone in China that you had your personal
10:34:43 13 computer with you?

10:34:43 14 A. During the presentation, I told the NUAA students and
10:34:52 15 professors that I brought my personal computer.

10:34:55 16 Q. Okay. And we'll come back to your presentation in a few
10:35:00 17 minutes.

10:35:02 18 MS. GLATFELTER: May I please publish 64a, which has
10:35:07 19 been admitted into evidence?

10:35:09 20 THE COURT: Yes.

10:35:09 21 BY MS. GLATFELTER:

10:35:09 22 Q. You mentioned before that you communicated with Mr. Chen
10:35:12 23 over WeChat when you arrived in China.

10:35:16 24 Do you recognize Exhibit 64a?

10:35:20 25 A. Yes. This is the WeChat communication I had with

ZHENG - DIRECT (Glatfelter)

47

10:35:25 1 Mr. Chen Feng.

10:35:27 2 Q. And has your name been replaced with "Employee 1"
10:35:32 3 during -- in these communications?

10:35:34 4 A. It was not.

10:35:36 5 Q. Okay. So today in court we see the term "Employee 1,"
10:35:40 6 but previously did it use your name?

10:35:42 7 A. Yes.

10:35:45 8 Q. Okay. If we can go ahead and read through -- we can read
10:35:51 9 through this WeChat. If you will read the green messages,
10:35:56 10 I'll read the messages from Mr. Chen, okay?

10:36:00 11 A. Sure.

10:36:01 12 "Sure, what's your arrangement for the 2nd? What time
10:36:04 13 should I be there?"

10:36:08 14 Q. "Our side will pick you up in the evening of the 1st. We
10:36:11 15 will meet and chat in the morning of the 2nd, and then we will
10:36:14 16 have a lunch reception around the school. The lecture and
10:36:18 17 communication will be at 14:30 in the school and follows a
10:36:24 18 dinner. You will then take the high-speed rail back to
10:36:29 19 Shanghai around 20:40.

10:36:33 20 The schedule is a little tight. The hotel you are
10:36:36 21 staying in is booked at Grand Metro Hotel for now. There will
10:36:42 22 be dinner receptions at a restaurant near the school and at
10:36:45 23 the school hotel. The communication and exchange will be
10:36:48 24 mainly with the faculty and students at NUAA College of Energy
10:36:55 25 and Power Engineering, about one and a half to two hours

ZHENG - DIRECT (Glatfelter)

48

10:36:58 1 length."

10:37:01 2 **A.** "Mr. Chen, how about this. I can come to Nanjing from
10:37:07 3 Beijing in the morning of June 2nd. I can be at the Nanjing
10:37:15 4 South Railway Station. We can stop by and drop off the
10:37:19 5 luggage at the hotel, then head straight to the school. We
10:37:25 6 can do the lecture in the afternoon, dinner in the evening.
10:37:29 7 Then I will head to Shanghai from Nanjing in the early
10:37:34 8 morning of June 3rd to catch out the flight at 12 p.m.

10:37:42 9 "This way it will not delay your time in the morning
10:37:47 10 and have plenty of time in the afternoon."

10:37:52 11 MS. GLATFELTER: Okay. If we could turn to the next
10:37:54 12 page.

10:37:54 13 BY MS. GLATFELTER:

10:37:55 14 **Q.** "Mr. Employee 1, regarding to the fund used to cover this
10:38:00 15 travel, we applied for it from the Province S & T Promotion
10:38:06 16 Association. They are very aware of your visit this time and
10:38:09 17 they want to meet with you in the morning of the 2nd.
10:38:12 18 Therefore, I think you should plan" -- I'm sorry -- "I think
10:38:17 19 you should still arrive in the evening of the 1st according to
10:38:20 20 the original plan."

10:38:21 21 If we can stop there. I wanted to ask you a question.
10:38:27 22 Was -- had you heard about a meeting in the morning of the 2nd
10:38:30 23 before this message?

10:38:31 24 **A.** Can you repeat your question?

10:38:35 25 **Q.** Sure. Prior to receiving this message, were you aware of

ZHENG - DIRECT (Glatfelter)

49

10:38:41 1 a meeting that would occur on the morning of the 2nd?

10:38:44 2 A. I was not.

10:38:46 3 Q. This was the first time that you had heard about it?

10:38:49 4 A. Yes.

10:38:49 5 Q. What about the funding used for the trip? Did you know

10:38:53 6 that it would come from the Province S & T Promotion

10:38:57 7 Association?

10:38:57 8 A. In some of the email he may mention. I don't remember

10:39:03 9 exactly.

10:39:04 10 Q. But this was the first time you heard about a meeting?

10:39:07 11 A. Yes.

10:39:08 12 Q. Okay. If we can continue reading. You can start with

10:39:14 13 the next green box.

10:39:15 14 A. "Okay."

10:39:17 15 "Thank you for the coordination."

10:39:20 16 Q. "Thank you very much. Sorry for the busy schedule for

10:39:25 17 this meeting. See you then."

10:39:27 18 "Hello, Mr. Employee 1. Can you forward me your flight

10:39:30 19 information so I can pick you up from the airport?"

10:39:34 20 A. "I will be taking the high-speed rail from Beijing to

10:39:38 21 Nanjing South Railway Station. I will arrive at 22:47."

10:39:53 22 It's 10:47 in the evening.

10:39:57 23 "On June 1st."

10:40:00 24 "I will be taking the high-speed rail to Shanghai in

10:40:04 25 the evening."

ZHENG - DIRECT (Glatfelter)

50

10:40:07 1 Q. And if we can continue, please.

10:40:14 2 A. "Of the June 2nd."

10:40:17 3 "Mr. Chen, due to the shortage of the flight tickets,
10:40:21 4 my train ticket has been changed to depart from Nanjing
10:40:29 5 South Railway Station in the evening of 7:48 on June 2nd."

10:40:35 6 "My arrival time is 10:47 p.m. from Beijing to Nanjing
10:40:45 7 South Railway Station on June 1st."

10:40:47 8 "Contact me via WeChat if there's anything. Thanks."

10:40:53 9 Q. "Mr. Employee 1, the train you booked, G7125, from 1948
10:41:00 10 to 21:51, total travel time is two hours and three minutes.
10:41:06 11 The train afterwards, G1235, is from 20:44 to 22:05, and the
10:41:16 12 total travel time is one hour and twenty-one minutes. You can
10:41:20 13 delay your departure by fifty-six minutes and arrive only
10:41:23 14 fourteen minutes later than the previous train. Overall, the
10:41:27 15 time will be more flexible and can avoid the rush hour. If
10:41:31 16 possible, I recommend you take this train."

10:41:34 17 "I will pick you up tonight at the exit of Nanjing South
10:41:40 18 Railway Station."

10:41:42 19 A. "I did ask last night. They said that I cannot change
10:41:47 20 the schedule due to the ticket shortage. I will try again
10:41:51 21 today."

10:41:52 22 Q. "Thank you."

10:41:54 23 And if we continue to page 4.

10:41:58 24 A. "I have changed to G1235, depart from Nanjing South
10:42:08 25 Railway Station at 20:44."

ZHENG - DIRECT (Glatfelter)

51

10:42:11 1 Q. "Many troubles. See you in the evening."

10:42:14 2 "Hi, teacher 1. There are two exits here. Train Arrival

10:42:20 3 (East, West), 2. I am at the Train Arrival East 2."

10:42:27 4 A. "Thank you for staying up so late. Thank you. See you

10:42:31 5 tomorrow. Good night."

10:42:33 6 Q. "You're welcome. Good night. See you tomorrow morning."

10:42:36 7 Okay. These last two messages, did these occur before or

10:42:40 8 after Mr. Chen picked you up?

10:42:42 9 A. This is after he pick me up.

10:42:50 10 Q. Okay. And where did he pick you up?

10:42:54 11 A. He pick me up from the train station.

10:42:57 12 Q. So he met you there?

10:42:59 13 A. Yes.

10:43:00 14 Q. And how did he pick you up?

10:43:04 15 A. He was driving a car.

10:43:08 16 Q. Was he by himself?

10:43:10 17 A. Yes.

10:43:11 18 Q. Okay. And what kind of car did he have?

10:43:13 19 A. I don't remember exactly. It's a nice car.

10:43:18 20 Q. And from the train station, where did you go?

10:43:20 21 A. We went directly to NUAA campus hotel.

10:43:25 22 Q. Did you have to check in when you got to the hotel?

10:43:29 23 A. Yes. We check in the lobby. He said the room is

10:43:34 24 already booked.

10:43:37 25 Q. Okay. Had he taken care of the room? Is that what you

ZHENG - DIRECT (Glatfelter)

52

10:43:41 1 mean by "booked"?

10:43:41 2 A. Yes.

10:43:42 3 Q. So did you have to use a credit card or pay for the room?

10:43:47 4 A. No.

10:43:47 5 Q. And then where did you go from the lobby of the hotel?

10:43:53 6 A. To -- directly to my room that is reserved.

10:43:58 7 Q. Okay. And can you describe the hotel for the jury?

10:44:01 8 A. It's a high-rise hotel inside the campus.

10:44:09 9 MS. GLATFELTER: May I please show the witness

10:44:11 10 Exhibit 63a? This would be an exhibit that's not admitted yet

10:44:18 11 so should be shown the witness and counsel.

10:44:20 12 THE COURT: Show 63a to the witness and counsel.

10:44:23 13 And in due course, we are going to need to break for our

10:44:26 14 midmorning break.

10:44:28 15 MS. GLATFELTER: We can break now. That's fine,

10:44:29 16 Your Honor.

10:44:30 17 THE COURT: Very well. A quarter of.

10:44:32 18 We are going to take our midmorning break. We'll break

10:44:35 19 for 20 minutes. I want you to take a break, not discuss the

10:44:39 20 case among yourselves or with anyone else. No independent

10:44:41 21 research. Enjoy the time away.

10:44:43 22 We'll rise out of respect for you as you leave.

10:44:47 23 THE COURTROOM DEPUTY: All rise for the jury.

10:44:48 24 (Jury out at 10:44 a.m.)

10:45:21 25 THE COURT: The jury's left the room. We're going

ZHENG - DIRECT (Glatfelter)

53

10:45:26 1 to break for 20 minutes. The government will admonish the
10:45:29 2 witness. I'll see you in 20 minutes. We're in recess.
10:45:36 3 THE COURTROOM DEPUTY: The court is now in recess.
10:45:39 4 (Recess from 10:45 a.m. until 11:06 a.m.)
11:06:32 5 THE COURT: Both teams are here. Are we ready for
11:06:35 6 the jury, from the government's perspective?
11:06:38 7 MS. GLATFELTER: Yes, Your Honor.
11:06:38 8 THE COURT: Defense?
11:06:40 9 MR. McBRIDE: Yes, Your Honor.
11:06:40 10 THE COURT: Very well. Let's call for the jury.
11:08:04 11 THE COURTROOM DEPUTY: All rise for the jury.
11:08:06 12 (Jury in at 11:08 p.m.)
11:08:37 13 THE COURT: You may all be seated. Thank you.
11:08:40 14 15 jurors have rejoined us after break. Welcome back.
11:08:46 15 We appreciate your work.
11:08:47 16 We will continue with the testimony of this witness who
11:08:49 17 remains under oath.
11:08:51 18 Ms. Glatfelter.
11:08:52 19 MS. GLATFELTER: Thank you, Your Honor.
11:08:53 20 BY MS. GLATFELTER:
11:08:53 21 **Q.** Before we broke, sir, I think you were describing your
11:08:57 22 hotel in Nanjing. Do you remember that?
11:09:00 23 **A.** Yes.
11:09:02 24 MS. GLATFELTER: And if we may please show the
11:09:04 25 witness and counsel -- I can't remember if we actually

ZHENG - DIRECT (Glatfelter)

54

11:09:08 1 admitted 63 yet or were getting ready to, but we can go
11:09:14 2 through the process again.

11:09:15 3 May I please show the witness Exhibit 63a.

11:09:15 4 BY MS. GLATFELTER:

11:09:19 5 Q. And do you recognize these -- what's depicted on 63a?

11:09:23 6 A. Yes.

11:09:24 7 Q. What are these?

11:09:26 8 A. These are the pictures of the hotel and the hotel room
11:09:31 9 I was staying at.

11:09:32 10 On the right is Mr. Qu's business card?

11:09:36 11 Q. Are these pictures that you took while you were in
11:09:38 12 Nanjing?

11:09:38 13 A. Yes.

11:09:40 14 MS. GLATFELTER: Move to admit and publish to the
11:09:43 15 jury.

11:09:43 16 MR. McBRIDE: No objection, Your Honor.

11:09:45 17 THE COURT: Admitted. Show them to everybody.

11:09:51 18 (Government's Exhibit 63a, was received in evidence.)

11:09:51 19 BY MS. GLATFELTER:

11:09:51 20 Q. Sir, can you go through the pictures one by one and
11:09:55 21 explain to the jury what they are showing?

11:09:59 22 A. On the top left, that's the picture of outside the
11:10:02 23 hotel. On the bottom left, that's the room. The middle,
11:10:14 24 bottom middle, that's the picture of the hotel room. On the
11:10:21 25 right, it's Mr. Qu's business card.

ZHENG - DIRECT (Glatfelter)

55

11:10:24 1 Q. Now, when you arrived at the hotel, that was on June 1st,
11:10:28 2 right?

11:10:29 3 A. That's correct.

11:10:30 4 Q. Did you have any meetings the next morning, on June 2nd?

11:10:34 5 A. In the morning, I had a tea time, tea break time with
11:10:42 6 Mr. Qu, Mr. Cheng Feng, and another lady.

11:10:46 7 Q. Okay. Where did the meeting take place?

11:10:48 8 A. It's downstairs in the hotel.

11:10:52 9 Q. Okay.

11:10:53 10 A. In near the lobby.

11:10:57 11 Q. Was your room on a different floor than the first floor?

11:11:00 12 A. My room is on a different floor.

11:11:02 13 Q. You said it was on -- the meeting was in the hotel?

11:11:04 14 A. First floor.

11:11:07 15 Q. First floor, okay.

11:11:09 16 And did you bring your computer to the meeting?

11:11:11 17 A. I did not.

11:11:12 18 Q. Did you leave it in your room?

11:11:14 19 A. Yes.

11:11:15 20 Q. Okay. Now, who was at the meeting?

11:11:18 21 A. Mr. Cheng Feng, Mr. Qu, and Ms. Ji.

11:11:28 22 Q. And was that the first time that you had met Mr. Qu?

11:11:31 23 A. Yes.

11:11:32 24 Q. Did Mr. Chen introduce him or did he introduce himself?

11:11:38 25 A. Mr. Chen introduced them.

ZHENG - DIRECT (Glatfelter)

56

11:11:40 1 Q. And how did he make the introduction? What did he say?

11:11:44 2 A. He, Mr. Chen said Mr. Qu, he is the deputy director of

11:11:56 3 the Provincial Science and Technology Association.

11:12:01 4 Q. Okay. And you said there was another person there.

11:12:04 5 A. Yes.

11:12:04 6 Q. Who is that?

11:12:04 7 A. There's another lady, Ms. Ji. Ms. Ji.

11:12:10 8 Q. And how is that spelled for the court reporter?

11:12:11 9 A. J-I.

11:12:18 10 Q. Could you tell or did you know the relationship between

11:12:22 11 the deputy director and Ms. Ji.

11:12:27 12 A. From my first impression, Ms. Ji report to Mr. Qu.

11:12:33 13 Q. And can you tell the jury how you arrived at that

11:12:36 14 impression?

11:12:37 15 A. Basically in the conversations, very casual

11:12:50 16 conversations. This is from my first impression. I can see

11:12:54 17 Ms. Ji listen to Mr. Qu also time.

11:13:01 18 Q. And is that -- was that meaningful to you?

11:13:09 19 A. Based on my understanding, Mr. Qu had a higher ranking

11:13:17 20 than Ms. Ji, and I did not ask.

11:13:19 21 Q. Okay. And what was the -- how long did the meeting last?

11:13:21 22 A. It's about a half an hour.

11:13:25 23 Q. And what, if anything, did you talk about during that

11:13:27 24 half hour?

11:13:28 25 A. Very general. About my -- where I live in the U.S.,

ZHENG - DIRECT (Glatfelter)

57

11:13:34 1 where is my hometown. They talk about their -- where they
11:13:38 2 live, very general.

11:13:40 3 Q. All right. At the time of the meeting, did director --
11:13:44 4 Deputy Director Qu know that you worked for GE Aviation?

11:13:50 5 A. Yes.

11:13:50 6 Q. Did he ask you anything about your work?

11:13:52 7 A. He very briefly asked where I work. That's about it.
11:13:58 8 Not very specific.

11:14:00 9 Q. During that meeting, did anyone ask you about information
11:14:06 10 related to your work at GE Aviation?

11:14:08 11 A. No, they did not ask.

11:14:13 12 Q. Afterwards, what happened?

11:14:16 13 A. Afterwards, I went back to my hotel for a short break.
11:14:26 14 Then Mr. Chen Feng pick me up to go for -- to a restaurant
11:14:33 15 for lunch together before the presentation.

11:14:39 16 Q. And when Mr. Chen picked you up, did he come up to your
11:14:44 17 room or did he wait for you in the lobby?

11:14:46 18 A. He waited for me in the lobby.

11:14:47 19 Q. Now, when you went back to your room -- you said you had
11:14:50 20 left your personal computer in the room during the coffee
11:14:54 21 meeting or the tea meeting?

11:14:55 22 A. Yes.

11:14:56 23 Q. Okay. And was it still in your room when you got there?

11:14:59 24 A. It was still in my room.

11:15:00 25 Q. And did you notice whether or not it had moved at all?

ZHENG - DIRECT (Glatfelter)

58

11:15:03 1 A. I did not notice any difference.

11:15:07 2 Q. You said that Mr. Chen picked you up, and where did you

11:15:13 3 go when he picked you up?

11:15:14 4 A. We went to outside the rest -- a restaurant outside of

11:15:21 5 campus.

11:15:22 6 Q. And who was at the lunch meeting?

11:15:24 7 A. Ms. -- Ms. Ji and Mr. Qu and Mr. Chen Feng.

11:15:32 8 Q. The same people that were at the meeting in the morning?

11:15:34 9 A. That's correct.

11:15:35 10 Q. And how long did the lunch meeting last?

11:15:37 11 A. About 45 minutes to an hour.

11:15:41 12 Q. And can you describe for us the topics of conversation?

11:15:45 13 A. It's very similar to the morning. Very general. Like

11:15:51 14 where are you work. Very casual discussion.

11:15:57 15 Q. And after lunch, what did you do?

11:16:00 16 A. We came back to the campus and went to one of the

11:16:08 17 office building in NUAA to prepare, set up for the

11:16:12 18 presentation in the afternoon.

11:16:16 19 Q. And did you give a presentation?

11:16:18 20 A. Yes, I did.

11:16:19 21 Q. Who was in attendance at your presentation?

11:16:23 22 A. From what I can see, it's about 20, 20 to 25 students,

11:16:30 23 including some professors.

11:16:31 24 Q. And did anyone tell you that they were students and

11:16:36 25 professors?

ZHENG - DIRECT (Glatfelter)

59

11:16:38 1 A. No. One student asked me the question, he introduce he
11:16:43 2 was -- he's a Ph.D. student.

11:16:46 3 Q. All right. And how long did your presentation last?

11:16:49 4 A. About one hour to one and a half hour.

11:16:56 5 Q. Did you have slides for that presentation?

11:17:00 6 A. Yes, I prepared slides for the presentation.

11:17:03 7 Q. And how were you able to show people your slides during
11:17:08 8 the presentation?

11:17:08 9 A. I was trying to show from my personal computer that I
11:17:14 10 carry with me, and I had trouble to project the presentation
11:17:20 11 at the beginning. There were some technical issues. They
11:17:25 12 tried to help, and one student bring -- brought up a thumb
11:17:32 13 drive and tried to copy my presentation to the computer, the
11:17:39 14 school computer in that room.

11:17:43 15 Then later on it still did not work, and I remember at
11:17:48 16 the end I accessed the presentation through log-on to my
11:17:54 17 email account from the public computer in that room and
11:17:58 18 project it from there.

11:18:00 19 Q. So you said you first tried to project it, did you say
11:18:04 20 directly from your computer?

11:18:05 21 A. Yes.

11:18:06 22 Q. And were you able to do that?

11:18:07 23 A. No. It did not work.

11:18:12 24 Q. And so the next step was a student tried to help you, and
11:18:15 25 how did a student try to help you?

ZHENG - DIRECT (Glatfelter)

60

11:18:17 1 A. He was trying to copy -- I was trying to copy my
11:18:20 2 presentation into his thumb drive, and then he took that
11:18:25 3 thumb drive to the public computer in the room. And it
11:18:30 4 still did not work.

11:18:31 5 Q. And when you say you tried to copy with a thumb drive,
11:18:33 6 did he put the thumb drive into your computer?

11:18:35 7 A. Yes.

11:18:37 8 Q. And were you able to use that thumb drive to project your
11:18:39 9 presentation?

11:18:40 10 A. No.

11:18:40 11 Q. Okay. And how did you successfully project it?

11:18:45 12 A. Finally, I connect from that computer through my email,
11:18:51 13 and I saved draft a copy in my email, and I project it from
11:18:57 14 the public computer in the room.

11:19:01 15 Q. So there was a public computer you used in the room, and
11:19:04 16 that's how you accessed your email?

11:19:06 17 A. Yes.

11:19:06 18 Q. Okay.

11:19:16 19 MS. GLATFELTER: One moment, Your Honor.

11:19:18 20 BY MS. GLATFELTER:

11:19:18 21 Q. You said there were 20 to 30 people in the room for your
11:19:22 22 presentation?

11:19:23 23 A. Roughly.

11:19:24 24 Q. And did the audience know that you were an engineer from
11:19:29 25 GE Aviation when you were presenting?

ZHENG - DIRECT (Glatfelter)

61

11:19:32 1 A. Yes, I introduced myself at the beginning of the
11:19:34 2 presentation.

11:19:36 3 Q. And what kind of -- can you describe the room where the
11:19:40 4 presentation occurred?

11:19:41 5 A. It's about a half size of this room.

11:19:47 6 Q. Okay. Did anyone ask you any questions at the end of
11:19:52 7 your presentation?

11:19:53 8 A. Some of the students asked questions at the end of the
11:19:57 9 presentation.

11:19:58 10 Q. And what kind of -- can you give us an example of the
11:20:01 11 type of question that was asked?

11:20:03 12 A. It's very technical, detailed. I remember he said he
11:20:09 13 is doing similar type of research, and he ask some specific
11:20:15 14 questions. And I said to him some of the information I
11:20:19 15 cannot share due to proprietary, and some of the information
11:20:24 16 are in the public domain. I direct him, he can search from
11:20:30 17 the public domain.

11:20:32 18 Q. So did you -- were you able to answer his technical
11:20:37 19 question?

11:20:38 20 A. I would say I only answer maybe 40 to 50 percent of the
11:20:45 21 questions. Some are questions I either could not answer
11:20:48 22 technically or I could not share.

11:20:51 23 Q. Okay. Now, after the presentation, did you see Mr. Chen
11:20:57 24 again?

11:20:57 25 A. Yes.

ZHENG - DIRECT (Glatfelter)

62

11:20:59 1 Q. Okay. And did he attend your presentation?

11:21:02 2 A. You mean Mr. Chen?

11:21:06 3 Q. Yes.

11:21:07 4 A. He was in and out. Yeah, he was there, then he left in

11:21:12 5 the middle of the presentation, then he came back.

11:21:16 6 Q. And what about Deputy Director Qu?

11:21:19 7 A. He was not in the presentation.

11:21:21 8 Q. Now, afterwards, you said -- did you see Mr. Chen again?

11:21:26 9 A. Yeah, he came back. Mr. Chen, he came back.

11:21:29 10 Q. And did you meet with him after the presentation?

11:21:33 11 A. Yes.

11:21:33 12 Q. Where did you meet with him?

11:21:35 13 A. In a separate room outside the presentation's room.

11:21:41 14 Q. Okay. And what, if anything, happened during the

11:21:43 15 meeting?

11:21:43 16 A. He hand me the -- about, about \$3,500 U.S. He said

11:21:52 17 this is for the reimbursement for my plane ticket and also

11:21:57 18 reimbursement for me giving the presentation.

11:22:03 19 Q. And did he give you an idea where that money, that

11:22:09 20 \$3,500, came from?

11:22:10 21 A. He mention in the previous email that would be funded

11:22:14 22 by Science and Technology Association. He mention that

11:22:18 23 again after the presentation when he handed me the money.

11:22:22 24 Q. And who did you understand that the money came from?

11:22:26 25 A. I understood at that time that came from Mr. Qu.

ZHENG - DIRECT (Glatfelter)

63

11:22:31 1 Q. Now, after you received the money -- was it cash?

11:22:36 2 A. It was in cash.

11:22:37 3 Q. After you received the cash, did you see Deputy Director
11:22:45 4 Qu again?

11:22:45 5 A. He came back. We had a dinner inside the campus,
11:22:50 6 inside a restaurant in the campus, and he came to that
11:22:55 7 dinner.

11:22:56 8 Q. And after the dinner -- I'm sorry. How long was the
11:23:00 9 dinner?

11:23:00 10 A. Since I was rushed to the train station to catch my
11:23:04 11 train to Shanghai, it's about, I would say, an hour-ish.

11:23:12 12 Q. Okay. And did you -- what did you talk about during the
11:23:15 13 dinner?

11:23:16 14 A. Very casual. There were some -- two professors that
11:23:21 15 were in the presentation. They join the dinner. And it's
11:23:25 16 very casual get-together discussion.

11:23:29 17 Q. And what, if anything, happened after the dinner?

11:23:32 18 A. Can you repeat the question?

11:23:36 19 Q. Sure. What happened next after the dinner?

11:23:39 20 A. Well, then, Mr. Cheng Feng dropped me off to the train
11:23:42 21 station.

11:23:43 22 Q. And did you take the train back to Shanghai?

11:23:47 23 A. Yes.

11:23:47 24 Q. Okay. And then did you at some point return to the U.S.?

11:23:52 25 A. Yeah. I return to the U.S. the second day. Taking the

ZHENG - DIRECT (Glatfelter)

64

11:23:57 1 flight, took the flight from Shanghai.

11:23:59 2 Q. Now, after you returned to the United States, did you
11:24:03 3 have any communications with Deputy Director Qu?

11:24:08 4 A. No.

11:24:08 5 Q. Did you have any WeChat communications with people from
11:24:14 6 China?

11:24:15 7 A. Not -- not until Agent Hull give me the direction.

11:24:22 8 MS. GLATFELTER: Your Honor, may I show the witness
11:24:26 9 what's been admitted as Government's Exhibit 66a to refresh
11:24:31 10 the witness's memory?

11:24:34 11 THE COURT: You can show him the admitted exhibit.

11:24:38 12 MS. GLATFELTER: Sure.

11:24:41 13 BY MS. GLATFELTER:

11:24:41 14 Q. Sir, when did you return to the United States?

11:24:44 15 A. I return on June -- June 3rd or 4th. I can't remember
11:24:52 16 because of the time difference.

11:24:54 17 Q. Of 2017?

11:24:55 18 A. 2017.

11:24:56 19 Q. Okay. And if we look at this screen, what's been
11:24:58 20 admitted as Government's Exhibit 66a?

11:25:03 21 A. Yes.

11:25:04 22 MS. GLATFELTER: And can everyone see that? Okay.

11:25:06 23 BY MS. GLATFELTER:

11:25:07 24 Q. What's the date of the first message at the top?

11:25:09 25 A. It's June 12th.

ZHENG - DIRECT (Glatfelter)

65

11:25:12 1 Q. Okay. So is this after your -- after you returned to the
11:25:15 2 United States?

11:25:15 3 A. Yes.

11:25:16 4 Q. Okay. And did you have communications with Deputy
11:25:21 5 Director Qu Hui after you returned?

11:25:22 6 A. Yes.

11:25:22 7 Q. Okay. And are these the communications?

11:25:24 8 A. Yes. This is a very -- just say thanks for his host.

11:25:31 9 Yeah, sorry. I don't -- did not remember.

11:25:35 10 Q. That's okay. What I'd like to do is read these

11:25:38 11 communications for the jury. If you will read your

11:25:42 12 communications, and I will read the gray ones.

11:25:47 13 Again, has your name been changed to Employee 1?

11:25:54 14 A. Okay.

11:25:55 15 Q. I mean, has your name been changed to Employee 1 on these
11:25:59 16 communications?

11:25:59 17 A. No.

11:26:00 18 Q. If you look at the screen.

11:26:02 19 A. Oh, yes.

11:26:02 20 Q. Do you see "Employee 1"?

11:26:04 21 A. Yes.

11:26:04 22 Q. Is that where your name should be?

11:26:06 23 A. Yes.

11:26:07 24 Q. Okay. And have you had a chance to look at these before
11:26:09 25 your testimony today?

ZHENG - DIRECT (Glatfelter)

66

11:26:09 1 A. Yes.

11:26:11 2 Q. All right. Okay. I will start.

11:26:14 3 June 12, 2017. "Mr. Employee 1, this is Qu Hui."

11:26:21 4 A. June 12, 2017. "Hello, Department Head Qu."

11:26:26 5 Q. "Welcome to visit Nanjing again next year."

11:26:31 6 A. "Thank you for your support on this exchange with NUAA,

11:26:35 7 and thank you for the gift. I will definitely contact you

11:26:40 8 again if I have a chance to visit China in the future. I

11:26:45 9 would love to do academic share and exchange with the

11:26:51 10 faculties and students as long as it does not involve any

11:26:57 11 non-publicity information from the company."

11:27:03 12 "Say hello to Director Ji for me."

11:27:08 13 Q. "Will do, Teacher Employee 1. I will also bring your

11:27:12 14 greeting to Director Ji."

11:27:13 15 MS. GLATFELTER: If we can continue -- or if we can

11:27:15 16 scroll back up to the middle of the page.

11:27:15 17 BY MS. GLATFELTER:

11:27:19 18 Q. Did you understand from these communications that you

11:27:22 19 would be able to return to China in the future to present?

11:27:25 20 A. Yeah, based on this conversation, yes.

11:27:32 21 Q. And you mentioned in your message, "Thank you for the

11:27:36 22 gift." What gift are you referring to?

11:27:39 23 A. I thank him for the cash reimbursement he gave to me,

11:27:42 24 and also the dinner he give me two tea -- tea boxes.

11:27:49 25 Q. Were those special teas?

ZHENG - DIRECT (Glatfelter)

67

11:27:53 1 A. Yeah, it's a special tea as a thank you from China.

11:28:01 2 Q. I see. And I'd like to pivot and talk about -- I'd like
11:28:07 3 to fast forward to 2018 when you were working with FBI Agent
11:28:15 4 Hull. You spoke earlier about that trip to Belgium. Do you
11:28:18 5 remember that?

11:28:19 6 A. Yes.

11:28:19 7 Q. And sometime after you returned, did Agent Hull ask you
11:28:24 8 to review a set of photographs?

11:28:26 9 A. Yes.

11:28:28 10 MS. GLATFELTER: Your Honor, may I approach the
11:28:30 11 witness with what has been admitted as Exhibit 8g? I'd like
11:28:35 12 to give him a hard copy.

11:28:36 13 THE COURT: Yes.

11:28:37 14 MS. GLATFELTER: Thank you.

11:28:59 15 BY MS. GLATFELTER:

11:28:59 16 Q. Sir, do you recognize what I've handed you?

11:29:02 17 A. Yes.

11:29:04 18 Q. Are these some of the photographs that Agent Hull asked
11:29:07 19 you to review?

11:29:08 20 A. Yes.

11:29:09 21 Q. About how many photographs did he ask you to review?

11:29:14 22 A. He ask me review about -- about 200 photos.

11:29:21 23 Q. And what did he ask you to do with these photos?

11:29:27 24 A. He asked me to check whether some of the photos can be
11:29:33 25 publicly viewed through WeChat or some of the photos are

11:29:38 1 from personal computer.

11:29:40 2 Q. And did you follow his instructions?

11:29:43 3 A. Yes.

11:29:43 4 Q. Were you able to locate all of the photographs that he
11:29:49 5 handed you, or he gave you?

11:29:50 6 A. I was able to view from my wife's phone since I can
11:29:57 7 view from her phone about my WeChat. Most of the photos I
11:30:04 8 can view from her phone, but not all the photos.

11:30:08 9 Q. So were you able to look at your WeChat account from her
11:30:12 10 phone, you're saying?

11:30:13 11 A. Yes.

11:30:14 12 Q. Okay. And some of the photos came from your WeChat
11:30:17 13 account?

11:30:17 14 A. Yes. That I posted as a social media. Everyone in the
11:30:23 15 friends can view this pictures.

11:30:27 16 Q. Okay. So when you say a person who's a friend can view
11:30:31 17 these, are these photographs viewable by everyone who's a
11:30:37 18 member of WeChat?

11:30:38 19 A. Not everyone is a member of the WeChat. Everyone who
11:30:43 20 is in -- as a friend in the WeChat.

11:30:47 21 Q. As your friend?

11:30:48 22 A. As my WeChat, yes.

11:30:50 23 Q. Okay. And on the account, where were these photographs
11:30:53 24 located?

11:30:53 25 A. On the account, it's basically, it's moments. And so

11:31:00 1 you basically snap a picture, you can post it, here's where
11:31:05 2 we are, where I am, and you can add some comments. Very
11:31:09 3 similar to Facebook, which day and which time that you post
11:31:15 4 it.

11:31:15 5 Q. And were these photographs that you were reviewing, were
11:31:19 6 they posted individually?

11:31:20 7 A. Posted individually or in a group of pictures in
11:31:25 8 certain day, but definitely it's posted in different dates.

11:31:30 9 Q. All right. From WeChat, is a WeChat user able to save or
11:31:38 10 print these photographs from these different posts?

11:31:40 11 A. They can if they are my friend.

11:31:43 12 Q. Okay. And is that -- and how would you describe that
11:31:50 13 process?

11:31:51 14 A. So you -- basically, you can view the moments that he
11:31:56 15 or she shared, and you can save individually for the photos
11:32:04 16 you want to share -- you want to save.

11:32:07 17 Q. Would you have to do that with each individual post?

11:32:12 18 A. Yes.

11:32:13 19 Q. How long would that take you?

11:32:16 20 MR. McBRIDE: Objection. Speculation, Your Honor.

11:32:19 21 THE COURT: Overruled.

11:32:21 22 BY MS. GLATFELTER:

11:32:21 23 Q. You use WeChat, right?

11:32:23 24 A. Yes.

11:32:23 25 Q. Did you actually try to download these photos for Agent

11:32:27 1 Hull?

11:32:27 2 A. Can you repeat your question?

11:32:29 3 Q. Did you try to download these photographs for Agent Hull,
11:32:33 4 or save these photographs for Agent Hull?

11:32:36 5 A. I was viewing these pictures from my wife's phone, and
11:32:40 6 I was trying to save these photos from her phone too.

11:32:44 7 Q. And how long did that take you?

11:32:46 8 A. It would take a while. For 200 photos, it will take 30
11:32:51 9 to 40 minutes.

11:32:51 10 Q. Is that because you have to go through each individual
11:32:54 11 post?

11:32:55 12 A. Yes.

11:32:57 13 MS. GLATFELTER: One moment, Your Honor.

11:32:58 14 THE COURT: Very well.

11:33:05 15 MS. GLATFELTER: Your Honor, I have no further
11:33:06 16 questions. Thank you.

11:33:07 17 THE COURT: Very well.

11:33:14 18 The lawyer for the defendant has an opportunity to ask
11:33:17 19 questions of the witness now.

11:33:21 20 Cross-examination.

11:33:27 21 MR. McBRIDE: Thank you, Your Honor.

11:33:31 22 **CROSS-EXAMINATION**

11:33:32 23 BY MR. McBRIDE:

11:33:35 24 Q. Mr. Zheng, how are you this morning?

11:33:36 25 A. Good. How are you?

11:33:36 1 Q. Let me introduce myself. My name is Bob McBride. I
11:33:41 2 represent Mr. Xu along with my colleagues.

11:33:43 3 As the judge just said, I am going to ask you some
11:33:47 4 questions. If anything I ask you is unclear, please tell me
11:33:51 5 so, sir.

11:33:52 6 A. Okay.

11:33:53 7 Q. Ms. Glatfelter asked you a little bit about your
11:33:59 8 education, and I'd like to talk about a little bit of that
11:34:02 9 with you.

11:34:04 10 Can you hear me?

11:34:06 11 A. Can you speak a little bit louder?

11:34:08 12 Q. Yes. I'll certainly try. And if you can't hear me,
11:34:12 13 please let me know, sir.

11:34:14 14 A. Okay.

11:34:23 15 Q. Thank you. So when did you graduate from Harbin
11:34:24 16 Institute of Technology?

11:34:26 17 A. I graduate in ninety -- 1997.

11:34:33 18 Q. Tell us a little bit about Harbin Institute of Technology
11:34:41 19 in terms of where it ranks in science universities in China.
11:34:49 20 How does it rank in China?

11:34:51 21 A. It's -- it has very good ranking in engineering. And I
11:34:58 22 was in civil engineering. That's one of the best civil
11:35:01 23 engineering school in China.

11:35:04 24 Q. Have you heard the phrase "seven suns"? "The seven
11:35:12 25 suns," have you heard that phrase, sir?

11:35:15 1 A. I do not understand.

11:35:16 2 Q. With respect to science and technology, have you ever

11:35:21 3 heard the phrase "seven suns"?

11:35:26 4 A. No.

11:35:27 5 Q. Okay. Thank you. In China, how does -- not in China.

11:35:36 6 How did you get into Harbin Institute of Technology?

11:35:40 7 A. Can you repeat your question, please?

11:35:42 8 Q. How did you apply to Harbin Institute of Technology?

11:35:46 9 A. So you have to -- once you national exam, and based on

11:35:55 10 the score, then you will apply several schools, and they

11:36:01 11 will select based on your academic scores.

11:36:07 12 Q. Does the university make that selection?

11:36:10 13 A. Yes.

11:36:12 14 Q. Does anybody from the communist party have any

11:36:16 15 involvement in those selections?

11:36:20 16 A. I do not know.

11:36:23 17 Q. Were you a member of the communist party at the time you

11:36:26 18 attended Harbin University?

11:36:28 19 A. I was not. I join communist party when I was in my

11:36:36 20 graduate school.

11:36:42 21 Q. And your graduate school was Northern Jiaotong

11:36:47 22 University?

11:36:47 23 A. That is correct.

11:36:49 24 Q. And what did you study there sir?

11:36:50 25 A. My major was structural engineering. It's very similar

11:36:54 1 to civil engineering.

11:36:55 2 Q. In what way --

11:37:00 3 A. Can you say that again?

11:37:03 4 Q. How is structural engineering similar to mechanical
11:37:06 5 engineering?

11:37:06 6 A. They -- basically, the courses that you need to take or
11:37:12 7 pass, I will say 70 to 80 percent of the courses are similar
11:37:19 8 between structure, civil engineering, and mechanical
11:37:22 9 engineering.

11:37:23 10 Q. Did you take any courses related to composites?

11:37:26 11 A. In Northern Jiaotong University?

11:37:36 12 Q. Yes, sir.

11:37:37 13 A. Yes.

11:37:37 14 Q. Okay. Did those courses involve structural composites?

11:37:41 15 A. It -- it does.

11:37:48 16 Q. And then, as I understand it, sir, you went to Akron
11:37:51 17 University, studied structural engineering?

11:37:54 18 A. Yes.

11:37:55 19 Q. And you received your Ph.D. from Akron?

11:37:58 20 A. That's correct.

11:37:59 21 Q. All right. Tell us about your transition from Northern
11:38:07 22 Jiaotong University to Akron University. Why did you select
11:38:11 23 Akron University?

11:38:12 24 A. So I was applying several -- after I graduated from
11:38:18 25 Northern Jiaotong University, I was working in a structure

11:38:25 1 civil engineering company for a couple of years. Then I
11:38:30 2 applied for U.S. universities for Ph.D. program, and I was
11:38:36 3 not admitted.

11:38:38 4 Then later on, I was admitted to Nan Yang, Northern
11:38:48 5 Jiaotong University in Singapore. I spent a year there
11:38:50 6 studying in Ph.D. degree. And later on I got a admission to
11:39:00 7 Pennsylvania State University. In 2003 I came to the U.S.,
11:39:08 8 and for the first semester, they have a Ph.D. exam, and I
11:39:17 9 was very struggling at that time because of the language.
11:39:21 10 And I did not pass the Ph.D. entrance exam in Pennsylvania
11:39:26 11 State University.

11:39:27 12 And I transferred to University of Akron, and I found a
11:39:33 13 professor who can sponsor my Ph.D. work in 2004.

11:39:45 14 Q. Thank you, sir. You mentioned a company you worked for.
11:39:49 15 Was that the China -- Metallurgical Construction Corporation
11:39:52 16 of China?

11:39:53 17 A. Yes.

11:39:53 18 Q. Is that a state-owned organization?

11:39:56 19 A. Can you repeat your question?

11:39:59 20 Q. Is that a state-owned organization in China?

11:40:06 21 A. Yes.

11:40:08 22 Q. Is it a construction company essentially?

11:40:11 23 A. It's essentially a construction company.

11:40:13 24 Q. In a very large organization, correct?

11:40:15 25 A. Yes.

11:40:16 1 Q. At Akron, what was the focus of your Ph.D. work?

11:40:27 2 A. I was focusing on developing some theoretical equations
11:40:37 3 for high-velocity impact of composite structures.

11:40:41 4 Q. More specifically, braided composite structures?

11:40:45 5 A. Very general. Not specifically. I did some work for
11:40:50 6 my Ph.D. supervisor that was sponsor by NASA and GE
11:40:57 7 Aviation, but that's not directly tied to my Ph.D.
11:41:02 8 dissertation.

11:41:02 9 Q. What was your Ph.D. dissertation, sir?

11:41:05 10 A. The title is "Impact" -- "Low Velocity Impact of
11:41:10 11 Composite Structures. "

11:41:12 12 Q. Is that a ballistics type of test against composite
11:41:18 13 structures?

11:41:19 14 A. No, it's not a ballistic type. It's low velocity, as I
11:41:25 15 mention in the title.

11:41:26 16 Q. What would be low velocity, sir?

11:41:28 17 A. It's basically -- when you say "ballistic," it's more
11:41:31 18 like a bullet. But low velocity is you can drop a heavy
11:41:37 19 object onto the floor or you drop something to the composite
11:41:41 20 structure, not in the bullet speed.

11:41:46 21 Q. Would you do that kind of testing if you were developing
11:41:49 22 a composite structure?

11:41:51 23 A. Yes.

11:41:52 24 Q. Part of the building block test, sir; is that correct?

11:41:55 25 A. Yes, that's correct.

11:41:59 1 Q. Thank you. Sir, I believe you also told us a little bit
11:42:05 2 about your history at General Electric; is that correct?
11:42:08 3 A. Yes.
11:42:09 4 Q. And the first place that you worked was GE Global
11:42:17 5 Research; is that correct, sir?
11:42:18 6 A. That's correct.
11:42:18 7 Q. What did you do at GE Global Research?
11:42:21 8 A. I was a research engineer. Basically the project,
11:42:28 9 research project was sponsored by different GE businesses.
11:42:36 10 Q. Did GE Global Research conduct seminars and conferences?
11:42:47 11 A. Yeah, they do.
11:42:49 12 Q. Would they bring in various professionals to speak at GE
11:42:57 13 Global Research Center?
11:42:57 14 A. Sometimes, yes.
11:42:58 15 Q. Would some of those professionals come and speak about
11:43:04 16 composite materials?
11:43:05 17 A. Sometimes.
11:43:09 18 Q. Were some of those professionals from other aerospace
11:43:14 19 organizations?
11:43:15 20 A. Vary --
11:43:15 21 Q. Did --
11:43:18 22 A. They are mostly from academic, from universities.
11:43:21 23 Q. I'm sorry. I did not mean to speak over you, sir. I
11:43:25 24 apologize.
11:43:26 25 Do you recall any of the academic universities that came

11:43:28 1 over to give presentations?

11:43:30 2 A. I remember one professor's from Stanford University.

11:43:36 3 Q. Anyone from overseas, sir?

11:43:44 4 A. I do not remember anyone from overseas.

11:43:46 5 Q. Thank you. And then as I understand your testimony,

11:44:04 6 sir -- correct me if I'm wrong -- you went from GE Global

11:44:10 7 Research to GE Aviation, correct?

11:44:12 8 A. That's correct.

11:44:12 9 Q. And you went to work at General Electric Aviation in

11:44:15 10 Evendale here?

11:44:16 11 A. Yes.

11:44:17 12 Q. So you moved your family here?

11:44:18 13 A. Yes.

11:44:19 14 Q. Okay. And I know that there are certain things you can't

11:44:27 15 talk about, but generally what do you do at GE, vis-à-vis

11:44:33 16 composite work?

11:44:34 17 A. I was -- I was responsible for design and development

11:44:43 18 and manufacture of composite fan case for the aircraft

11:44:48 19 engine.

11:44:49 20 Q. And the fan case is the containment for the fan blades,

11:44:54 21 correct?

11:44:55 22 A. That's correct.

11:44:56 23 Q. All right. And its purpose is to prevent further damage

11:45:00 24 to the airplane if there's a blade-out event, correct?

11:45:05 25 A. That's correct.

11:45:05 1 Q. In your work, do you utilize the building block process
11:45:14 2 for composites?

11:45:16 3 A. Yes.

11:45:17 4 Q. The -- could you describe what the first step in the
11:45:21 5 building block process is when you're developing a composite
11:45:25 6 structure?

11:45:27 7 A. Basically you test -- you perform testing in the very
11:45:38 8 small size specimen. It's either rectangular or square.
11:45:43 9 And you pull or push in the very similar direction.

11:45:50 10 Q. And that process is continued in larger and larger
11:45:55 11 components; is that correct?

11:45:56 12 A. That's correct.

11:45:56 13 Q. And correct me if I'm wrong. The overall process is
11:46:01 14 essentially build material, destroy material, make computer
11:46:06 15 models for the next section, and then start it all over again;
11:46:12 16 is that right?

11:46:12 17 A. That's correct.

11:46:13 18 Q. All right. Thank you. And are there parts of the --
11:46:22 19 strike that. I'll move on.

11:46:24 20 I'd like to talk a little bit about your interactions
11:46:36 21 with Chen Feng.

11:46:38 22 A. Okay.

11:46:38 23 Q. So before you met Chen Feng, as I think you had told us,
11:46:44 24 you had never had any interactions with him before his initial
11:46:47 25 reach-out; is that correct?

11:46:48 1 A. That's correct.

11:46:48 2 Q. And he reached out to you by WeChat?

11:46:51 3 A. He initially reach out to me by LinkedIn.

11:46:57 4 Q. By LinkedIn. Thank you. So the messenger facility on
11:47:01 5 LinkedIn is how he contacted you?

11:47:03 6 A. Yes.

11:47:03 7 Q. Is that right?

11:47:06 8 So your LinkedIn is on a publicly available social media,
11:47:12 9 correct?

11:47:12 10 A. Yes, with the professional --with your professional
11:47:15 11 background, what's your experience look like.

11:47:18 12 Q. What is your understanding of the purpose of LinkedIn?

11:47:20 13 A. The purpose of a LinkedIn use, basically you state your
11:47:28 14 education, you state your professional experience. You try
11:47:35 15 to establish lab work professionally.

11:47:42 16 Q. Have you ever used LinkedIn to look for other
11:47:45 17 professionals?

11:47:45 18 A. You can, yes.

11:47:46 19 Q. Have you ever done it?

11:47:47 20 A. Yes.

11:47:48 21 Q. Is that something you do routinely when you're trying to
11:47:54 22 reach out to other professionals?

11:47:56 23 A. I do not do routinely. Maybe once in a while.

11:48:01 24 Q. Did you find it a useful tool?

11:48:05 25 A. I found it's useful.

11:48:05 1 Q. On your LinkedIn profile, did you post that you worked at
11:48:12 2 General Electric?

11:48:12 3 A. Yes.

11:48:15 4 Q. Did you post on that LinkedIn profile anything about your
11:48:19 5 work at General Electric?

11:48:20 6 A. Very general about the work that I was doing at General
11:48:24 7 Electric.

11:48:24 8 Q. Did you post anything on your LinkedIn site about your
11:48:30 9 education?

11:48:30 10 A. Yes.

11:48:31 11 Q. How about your Ph.D. work? Did you note anything about
11:48:34 12 your Ph.D. work?

11:48:35 13 A. Very brief, yes.

11:48:39 14 Q. Did you list the title of your dissertation?

11:48:42 15 A. I -- yes.

11:48:46 16 Q. Thank you. When you were contacted by Chen Feng, were
11:48:56 17 you surprised?

11:48:56 18 A. I was.

11:48:57 19 Q. Why?

11:48:58 20 A. I never knew him, and he basically want to connect.

11:49:08 21 Q. Okay. But you continued up with the communications, did
11:49:11 22 you not?

11:49:12 23 A. Yes.

11:49:12 24 Q. Why?

11:49:13 25 A. I feel he is from NUAA, and he's at university in

11:49:23 1 China. And I ask many colleagues who give presentations,
11:49:37 2 all they have academic exchanges with China. I feel like
11:49:41 3 it's honored -- could be honor to be invite to a university
11:49:45 4 to give presentations.

11:49:47 5 Q. Does NUAA have a good reputation in the scientific
11:49:54 6 community?

11:49:54 7 A. Yes.

11:49:57 8 Q. So I think you just told us that you thought it was an
11:50:00 9 honor to be invited to speak at this university, correct?

11:50:04 10 A. Yes.

11:50:04 11 Q. Why was that important to you, to be honored in this way?

11:50:12 12 A. Can you repeat your question?

11:50:16 13 Q. Let me ask a different question, sir.

11:50:19 14 Did you have many opportunities to engage in these sort
11:50:22 15 of exchanges, academic or professional?

11:50:28 16 A. Sorry. I still did not understand the question.

11:50:31 17 Q. I will try to ask a better question, sir.

11:50:33 18 Is this the first time you had been asked to give a
11:50:36 19 presentation at a university?

11:50:37 20 A. I would say internationally, yes, but I was invite to
11:50:43 21 give presentation to University of Akron before.

11:50:47 22 Q. While you were working at GE?

11:50:49 23 A. Yes.

11:50:49 24 Q. Was that presentation on -- related to composite
11:50:55 25 component structures?

ZHENG - CROSS (McBride)

82

11:50:56 1 A. No, I don't remember.

11:51:05 2 Q. You don't remember?

11:51:06 3 A. Yes.

11:51:07 4 Q. Thank you, sir. At the time Chen Feng contacted you, I

11:51:17 5 believe you told us that you were also planning a trip to see

11:51:21 6 your family back home, correct?

11:51:22 7 A. Yes. I had a nephew wedding in Anhui, and I had a

11:51:30 8 class reunion, 20-year undergrad class reunion in a similar

11:51:36 9 time frame.

11:51:38 10 Q. What was the period of time you were planning to go to

11:51:40 11 China before Chen Feng contacted you, sir?

11:51:44 12 A. It's around April to May time frame.

11:51:48 13 Q. April to May. How many weeks were you planning?

11:51:53 14 A. Can you repeat your question?

11:51:55 15 Q. I'm sorry. How many weeks were you planning to be away

11:51:58 16 in China?

11:51:59 17 A. I was planning to be away like, well, at most, two

11:52:03 18 weeks because of work.

11:52:04 19 Q. So even had you not lectured at NUAA, you would have had

11:52:09 20 a busy schedule, would you not have?

11:52:12 21 A. I was still planning to go.

11:52:15 22 Q. Oh, yes. I understand. It would have been a busy time

11:52:19 23 even if you didn't lecture at NUAA, correct?

11:52:21 24 A. That is correct.

11:52:22 25 Q. Thank you. When you were contacted by Chen Feng, you

11:52:37 1 said you were surprised. Did you know who he was other than
11:52:41 2 from his self identification?

11:52:46 3 Strike that. Let me ask a better question. When you
11:52:48 4 received the letter from Chen Feng, did you know him?

11:52:51 5 A. I can see his title in his nickname profile.

11:52:56 6 Q. But you never personally met him before?

11:52:59 7 A. I never personally met him before.

11:53:01 8 Q. All right. So you don't even know if -- pardon me. Let
11:53:06 9 me strike that.

11:53:06 10 Do you know if the person who sent you that email was the
11:53:09 11 person that you met when you went to NUAA?

11:53:12 12 A. I did not get the question.

11:53:18 13 Q. Do you know who was sitting at the computer when they
11:53:21 14 sent you the email under the name Chen Feng?

11:53:23 15 A. No.

11:53:25 16 Q. So when you met Chen Feng in China, were you sure that
11:53:37 17 that was the person who you were communicating with by email
11:53:40 18 and WeChat?

11:53:41 19 A. He pick me -- the first time I saw him he pick me up
11:53:47 20 from the train station, and WeChat about where to meet. And
11:53:53 21 we were WeChat friends. And he said, hey, I will meet you
11:54:00 22 in which exit. I saw him with a car, and I was sure.

11:54:04 23 Q. I understand. But before you arrived in China, did you
11:54:09 24 know -- you didn't know whether the emails or the WeChats were
11:54:14 25 coming from the man you met later on in China, did you?

ZHENG - CROSS (McBride)

84

11:54:17 1 A. I did not know.

11:54:28 2 MR. McBRIDE: Your Honor, this might be a good place
11:54:30 3 to stop if you want to take a lunch break.

11:54:34 4 THE COURT: Very well. Thank you for telling me,
11:54:37 5 Mr. McBride.

11:54:38 6 We're going to break for lunch. It's almost high noon.
11:54:42 7 We will take an hour break, and I will see you back at 1
11:54:45 8 o'clock. During the break, enjoy lunch. Don't talk about the
11:54:49 9 case with anyone, including among yourselves. No independent
11:54:52 10 research. Continue to keep an open mind.

11:54:54 11 We'll rise as you leave.

11:54:56 12 THE COURTROOM DEPUTY: All rise for the jury.

11:55:21 13 THE COURT: Hour and 15-minute break, so 1:15.

11:54:58 14 (Jury out at 11:54 a.m.)

11:55:21 15 THE COURT: The jury's left the room, headed for the
11:55:38 16 lunch break. Is there anything that requires my attention
11:55:41 17 before we break from the courtroom, from the government?

11:55:43 18 MS. GLATFELTER: No, Your Honor. Thank you.

11:55:45 19 THE COURT: From the defense?

11:55:47 20 MR. McBRIDE: No, sir.

11:55:48 21 THE COURT: Very well. Enjoy your lunch.

11:55:52 22 THE COURTROOM DEPUTY: The court is now in recess.

11:55:54 23 (Lunch recess from 11:55 p.m. until 1:16 p.m.)

01:16:31 24 THE COURT: We're back on the record. Are we ready
01:16:34 25 to proceed from the government's perspective?

01:16:37 1 MS. GLATFELTER: Yes, Your Honor. Thank you.

01:16:38 2 THE COURT: Defense as well?

01:16:41 3 MR. McBRIDE: Yes, sir.

01:16:42 4 THE COURT: All right. Let's call for the jury,

01:16:44 5 please.

01:17:57 6 THE COURTROOM DEPUTY: All rise for the jury.

01:17:59 7 (Jury in at 1:18 p.m.)

01:18:30 8 THE COURT: You may all be seated. Thank you.

01:18:33 9 15 members of the jury have rejoined us after lunch.

01:18:39 10 Welcome back.

01:18:41 11 We will continue to hear the testimony of this witness.

01:18:43 12 Mr. McBride, you made proceed.

01:18:45 13 MR. McBRIDE: Thank you, Your Honor.

01:18:49 14 BY MR. McBRIDE:

01:18:51 15 Q. Dr. Zheng, we were talking about the period of time

01:18:56 16 before you went and did your lecture at NUAA. Do you remember

01:19:00 17 that?

01:19:00 18 A. Yes.

01:19:00 19 Q. So I would like to talk about, a little bit about your

01:19:05 20 preparation and the actual trip to NUAA. Is that all right?

01:19:11 21 A. Okay. Yes.

01:19:12 22 Q. So before you went to NUAA, how did you prepare for the

01:19:22 23 lecture?

01:19:23 24 A. Before my trip, I was preparing a presentation, a GE

01:19:33 25 computer, by searching some publicly available information.

01:19:44 1 Then right the day before my trip, I got the five
01:19:51 2 training -- GE training files and zip it into one zip file
01:19:57 3 and send that file to my personal email. And I brought my
01:20:05 4 personal computer so I have access to my email and I will be
01:20:12 5 able to access this training files to refine my presentation
01:20:17 6 while I was in China.

01:20:19 7 Q. So the public available information you referenced, what
01:20:24 8 kind of things did you pull from that -- from publicly
01:20:28 9 available information?

01:20:29 10 A. I pull from some of the journal papers. I download
01:20:36 11 before it's publicly available, and some of the journal
01:20:42 12 papers while I was in -- while I was in GE.

01:20:48 13 Q. So these journal papers, they're professional journals?

01:20:52 14 A. Yes.

01:20:52 15 Q. And academic journals?

01:20:55 16 A. Yes.

01:20:56 17 Q. And these all dealt with composite materials, correct?

01:21:00 18 A. In general, yes.

01:21:01 19 Q. In general, yes, thank you. And then the five documents
01:21:03 20 that you also downloaded, those were training materials from
01:21:06 21 GE, correct?

01:21:07 22 A. That's correct.

01:21:07 23 Q. All right. And those were export controlled, yes, sir?

01:21:11 24 A. Most of them, yes.

01:21:13 25 Q. Okay. So what was the purpose of downloading those

01:21:17 1 documents?

01:21:19 2 A. I was preparing the presentation specifically related
01:21:24 3 to the topic that I was going to present. I want to take
01:21:31 4 some of the training material to refine the presentation.

01:21:36 5 Q. But none of the materials that you presented were covered
01:21:44 6 directly in the training materials, correct?

01:21:49 7 A. That is correct.

01:21:50 8 Q. So you never released any part of those five documents,
01:21:53 9 correct?

01:21:54 10 A. Can you repeat your question, please?

01:21:57 11 Q. Those five documents were never released by you?

01:22:01 12 A. No.

01:22:11 13 Q. Did you prepare your slide presentation on the way to
01:22:15 14 China?

01:22:15 15 A. I prepared half of it before my trip, then I was
01:22:20 16 prepare some of them while I was in China.

01:22:23 17 Q. You had two versions of that presentation, didn't you?

01:22:26 18 A. Yes.

01:22:27 19 Q. The first version was sort of a draft; is that correct?

01:22:37 20 A. That's correct.

01:22:38 21 Q. All right. In developing that draft, what did you do to
01:22:42 22 ensure that there was no GE secret information in your
01:22:46 23 presentation?

01:22:50 24 A. I want give one example.

01:22:54 25 Q. Please.

01:22:54 1 A. When I take some of the pictures from the training
01:22:57 2 material, there will be some label underneath the picture
01:23:05 3 say the "GE proprietary," and I try to take this out when I
01:23:10 4 put them in my presentation.

01:23:15 5 Q. And then your final copy, did you refine that further?

01:23:20 6 A. Yes.

01:23:20 7 Q. And was the purpose of refining it to sort of make double
01:23:25 8 sure there was no GE secret information in it?

01:23:27 9 A. That is correct.

01:23:29 10 Q. And that final one is the one that you presented to the
01:23:31 11 NUAA students, correct?

01:23:32 12 A. That is correct.

01:23:34 13 Q. All right. And in general, it was about the building
01:23:36 14 block process for manufacturing composite structures, correct?

01:23:42 15 A. It's more about the design of composite.

01:23:47 16 Q. And your lecture was limited to the containment
01:23:50 17 structure, correct?

01:23:51 18 A. That's correct.

01:23:56 19 Q. Is there a difference in the materials in the containment
01:24:00 20 structure and the fan blade?

01:24:02 21 A. Can you repeat your question, please?

01:24:05 22 Q. Are the polymeric composites in the containment housing
01:24:09 23 exactly the same as the polymeric materials used in the fan
01:24:14 24 blade?

01:24:14 25 A. Yes, they are different.

01:24:15 1 Q. They are different?

01:24:17 2 A. Material properties, they are different, yes.

01:24:20 3 Q. Thank you. Ms. Glatfelter asked you about when you

01:24:32 4 arrived in China, and I'd like to ask you a few questions

01:24:35 5 about that.

01:24:35 6 A. Okay.

01:24:36 7 Q. When you arrived, you told us that you had tea with Chen

01:24:44 8 Feng, Qu Hui, and a third person, a woman.

01:24:51 9 A. Yes.

01:24:51 10 Q. Would you remind us what that woman's name was?

01:24:54 11 A. I only know, remember her last name, Ms. Ji, J-I.

01:25:03 12 Q. Thank you. Was it appropriate for tea to be had when you

01:25:07 13 arrived?

01:25:09 14 A. Can you repeat your question, please?

01:25:12 15 Q. Culturally, was it the right thing to do for your hosts

01:25:16 16 to have tea with you?

01:25:17 17 A. Yeah. Sometimes culturally, yes.

01:25:19 18 Q. And culturally, was it also appropriate for your host to

01:25:23 19 take you to lunch?

01:25:26 20 A. Yes.

01:25:27 21 Q. And then after the presentation, was it also appropriate

01:25:30 22 for them to take you to dinner?

01:25:32 23 A. Yes.

01:25:32 24 Q. I'm going to say a word -- and I am not sure I am going

01:25:36 25 to pronounce it -- and ask you what it means.

01:25:38 1 What does Guan Xi mean in Chinese culture?

01:25:45 2 A. Can you say that again?

01:25:46 3 Q. The idea of networking.

01:25:48 4 A. Okay.

01:25:49 5 Q. Guan Xi. I am sure I am mispronouncing.

01:25:53 6 A. Yes, yes.

01:25:54 7 Q. Could you tell the ladies and gentlemen of the jury the

01:25:57 8 significance of that for you in Chinese culture?

01:25:58 9 A. In Chinese culture, like what he mentions, he builds a

01:26:04 10 network through tea, through lunch, through dinner.

01:26:08 11 Q. And is this the way that people in China get to know each

01:26:14 12 other in business situations?

01:26:17 13 A. That's correct.

01:26:17 14 Q. And sometimes these dinners are called banquets, are they

01:26:21 15 not, sir?

01:26:23 16 A. Yes.

01:26:23 17 THE COURT: Do you have the spelling of the word?

01:26:26 18 MR. McBRIDE: I don't have the spelling.

01:26:27 19 THE COURT: Could you ask the witness.

01:26:29 20 BY MR. McBRIDE:

01:26:29 21 Q. Sir, what is the spelling of the word "Guan Xi"?

01:26:33 22 A. Spell the word?

01:26:34 23 Q. Spell it please, sir.

01:26:36 24 A. Guan Xi is G-U-A-N. Xi is X-I. Guan Xi.

01:26:52 25 MR. McBRIDE: Thank you, sir. Thank you, Judge.

ZHENG - CROSS (McBride)

91

01:26:55 1 BY MR. McBRIDE:

01:26:55 2 Q. When Mr. Qu Hui said he was from JAST, were you familiar
01:27:01 3 with JAST?

01:27:04 4 A. A little bit. Not very.

01:27:05 5 Q. At that time, what did you know about JAST?

01:27:07 6 A. It's really Science and Technology Association.

01:27:12 7 Q. But you were aware of it before your trip to China to
01:27:16 8 NUAA, correct?

01:27:18 9 Did you know about JAST before you went to China?

01:27:22 10 A. It was mention briefly in the emails.

01:27:25 11 Q. Before Chen Feng mentioned it, had you ever heard of it
01:27:28 12 before?

01:27:28 13 A. No.

01:27:29 14 Q. Did you find it unusual that there is a science
01:27:34 15 technology organization like that in China?

01:27:36 16 A. I would say in many, many universities they were
01:27:47 17 sponsored by this association for scholars to give lectures.

01:27:56 18 Q. Ms. Glatfelter also asked you about money that you were
01:28:03 19 given by Qu Hui. That was approximately \$3,500, correct, sir?

01:28:09 20 A. Yeah, approximately.

01:28:10 21 Q. And that was in U.S. dollars?

01:28:18 22 A. Yes.

01:28:18 23 Q. Is it unusual in China to be paid in U.S. dollars?

01:28:21 24 A. It's usual.

01:28:22 25 Q. It's usual, sir?

ZHENG - CROSS (McBride)

92

01:28:23 1 A. Yeah.

01:28:24 2 Q. Thank you. Why is that?

01:28:25 3 A. I guess China is a developing country. A U.S. dollar

01:28:33 4 is very common in China now. You can easily get exchange

01:28:36 5 from bank.

01:28:38 6 Q. Did you find it unusual that you were paid in U.S.

01:28:41 7 dollars?

01:28:43 8 A. I did not.

01:28:45 9 Q. Did you think the amount of money was excessive?

01:28:49 10 A. No.

01:28:50 11 Q. Why not, sir?

01:28:51 12 A. Before my trip they said they will pay for my plane

01:28:57 13 ticket, which is about 1,500, including the train,

01:29:03 14 everything. Then the remaining is for a seminar, for the

01:29:08 15 presentation I give.

01:29:09 16 Q. So you felt that was a reason -- the balance was a

01:29:13 17 reasonable amount for your seminar to be paid?

01:29:15 18 A. I thought so.

01:29:16 19 Q. Particularly given your credentials, don't you think?

01:29:19 20 A. Say that again.

01:29:22 21 Q. I'll withdraw that question, sir.

01:29:24 22 I believe you told us on direct examination that you did

01:29:36 23 not tell GE about the presentation you were going to give; is

01:29:43 24 that correct?

01:29:43 25 A. That's correct.

01:29:43 1 Q. Why not, sir?

01:29:45 2 A. I was concerned if I give my boss notice, there will be
01:29:54 3 a lot of checks in GE before you give a presentation
01:30:00 4 publicly.

01:30:02 5 I want to give you one example if I can.

01:30:05 6 Q. Please.

01:30:05 7 A. I was trying to present in some of the technical
01:30:09 8 conferences here in the U.S., and I was not allowed to
01:30:15 9 because GE want to protect the information.

01:30:19 10 Q. Did you think the information you were going to present
01:30:21 11 at that conference was appropriate to present?

01:30:25 12 A. If I present some of the work I was performing in GE,
01:30:31 13 even in general sense, I will not be allowed to.

01:30:42 14 Q. And that's GE policy, correct?

01:30:44 15 A. That's GE policy.

01:30:45 16 Q. When you weren't permitted to give the presentation, did
01:30:52 17 you find that frustrating?

01:30:53 18 A. Yes.

01:30:53 19 Q. Why, sir?

01:30:54 20 A. I got my Ph.D., and I feel honored to present my work
01:31:03 21 technically to the public as long as I not -- I'm not
01:31:08 22 releasing proprietary information.

01:31:11 23 Q. Thank you. I want to move now to your return from China.

01:31:21 24 When you returned, you brought back your laptop with you,
01:31:25 25 correct?

ZHENG - CROSS (McBride)

94

01:31:25 1 A. Yes.

01:31:26 2 Q. All right. And so nobody accessed your laptop while you

01:31:31 3 were in China, did they?

01:31:32 4 A. No.

01:31:33 5 Q. So the five secret -- the five documents with secret

01:31:40 6 information were not released to anyone, were they?

01:31:42 7 A. No.

01:31:43 8 Q. All right. Did GE ask you for your personal computer?

01:31:55 9 A. They did not.

01:31:56 10 Q. They did not, okay.

01:32:01 11 I'd like to talk about November 1st of 2017. Do you

01:32:06 12 remember that day, sir?

01:32:06 13 A. Yes.

01:32:07 14 Q. Before the FBI interviewed you, you were interviewed by

01:32:16 15 GE, correct?

01:32:16 16 A. That's correct.

01:32:17 17 Q. Where did that take place?

01:32:19 18 A. In big technical auditorium in a GE campus.

01:32:28 19 Q. Who interviewed you?

01:32:29 20 A. I barely remember his name. Steve and another

01:32:35 21 gentleman. I barely remember.

01:32:38 22 Q. Two men?

01:32:39 23 A. I think so.

01:32:40 24 Q. Okay. Both from GE?

01:32:42 25 A. Yes.

ZHENG - CROSS (McBride)

95

01:32:42 1 Q. All right. I don't suppose you remember their titles, do
01:32:47 2 you, sir?

01:32:48 3 A. Can you repeat your question, please?

01:32:50 4 Q. What were their titles?

01:32:52 5 A. He -- one I remember Steve mentioned he's a chief
01:32:57 6 compliance officer.

01:33:00 7 Q. Do you remember the other man's title?

01:33:01 8 A. No.

01:33:02 9 Q. All right. Did you know that during the GE interview you
01:33:08 10 were being recorded?

01:33:10 11 A. I did not know at the beginning.

01:33:13 12 Q. Did they tell you during the interview?

01:33:15 13 A. During the interview they may have mention. I forgot.

01:33:20 14 Q. Did you know you were also being videoed?

01:33:22 15 A. I did not know.

01:33:24 16 Q. Did you know that the audio and video were being piped
01:33:28 17 into another room?

01:33:29 18 A. Say that again.

01:33:31 19 Q. Did you know that the audio and the video were being
01:33:34 20 broadcast into another room?

01:33:35 21 A. No, I did not.

01:33:36 22 Q. Did you know that the FBI agents were in that room?

01:33:39 23 A. I did not.

01:33:40 24 Q. Approximately how long did your interview with the
01:33:46 25 General Electric gentlemen last?

ZHENG - CROSS (McBride)

96

01:33:48 1 A. I would say about 10 to 15 minutes. Very short.

01:33:54 2 Q. And then what happened next?

01:33:56 3 A. Agent Hull and another FBI agent walk in.

01:34:01 4 Q. Would that be Agent Reigle?

01:34:03 5 A. Yes.

01:34:03 6 Q. So they walked into the auditorium, sir?

01:34:08 7 A. Yes.

01:34:09 8 Q. Okay. All right. Did they read you your rights?

01:34:19 9 A. Yes.

01:34:20 10 Q. Did they tell you you could go?

01:34:25 11 A. Yes.

01:34:27 12 Q. But at that time, had they taken your car out of the

01:34:33 13 parking lot?

01:34:34 14 A. They did not tell me whether they take -- took my car

01:34:38 15 from parking lot.

01:34:40 16 Q. But if you wanted to leave, your car would not have been

01:34:43 17 there during the interview, would it?

01:34:45 18 A. Sorry. I did not understand question.

01:34:47 19 Q. If you wanted to leave and get in your car, you couldn't

01:34:50 20 because it was gone, correct?

01:34:51 21 A. If it was gone, yes.

01:34:54 22 Q. All right. Did they take your cell phone?

01:34:58 23 A. Yes.

01:35:01 24 Q. Did they allow you to use your cell phone during the

01:35:05 25 interview?

ZHENG - CROSS (McBride)

97

01:35:05 1 A. They said if I want to call my family I can, and they
01:35:12 2 will direct some phone, but not to use my personal phone.
01:35:16 3 Q. So they gave you a phone to use?
01:35:18 4 A. That's correct.
01:35:18 5 Q. Whose phone was it?
01:35:20 6 A. Mr. -- it was given by Agent Hull.
01:35:26 7 Q. So one of the agent's phones, correct?
01:35:29 8 A. Yes.
01:35:30 9 Q. Okay. And were you allowed to call your family?
01:35:32 10 A. I was calling my wife for short period time.
01:35:35 11 Q. Did you have to speak in English?
01:35:38 12 A. I have to speak English.
01:35:42 13 Q. Did you have to have your wife on the speaker phone?
01:35:45 14 A. I don't remember.
01:35:52 15 Q. Did you know that you were being recorded during that
01:35:55 16 interview?
01:35:56 17 A. Yes.
01:35:58 18 Q. How long did the interview last, do you remember, sir?
01:36:02 19 A. It last until about two sessions total. I would say
01:36:11 20 about five to six hours.
01:36:12 21 Q. But in the middle of that, you had some pizza that the
01:36:15 22 agents brought for you, correct?
01:36:16 23 A. That's correct.
01:36:17 24 Q. Were you left alone at any time by the agents?
01:36:22 25 A. No.

Mary A. Schweinhagen, RDR, CRR (937) 512-1604

ZHENG - CROSS (McBride)

98

01:36:24 1 Q. While you were being interviewed by the agents, were you
01:36:33 2 worried about your job?

01:36:34 3 A. Yes.

01:36:36 4 Q. Why?

01:36:37 5 A. I was worried I will lose my job.

01:36:46 6 Q. When you -- earlier when you spoke to the gentlemen at
01:36:51 7 GE, did they mention your employment status?

01:36:54 8 A. They mention they will put a leave without -- without
01:37:00 9 pay.

01:37:01 10 Q. When did you go on leave without pay, sir?

01:37:04 11 A. Around November 1st, starting November 1st.

01:37:12 12 Q. I don't mean to be too personal, but what was your annual
01:37:17 13 salary before you were put on leave without pay?

01:37:20 14 A. It's about 130K.

01:37:24 15 Q. Thank you.

01:37:27 16 A. Value.

01:37:29 17 Q. What did you -- how long were you on leave without pay?

01:37:30 18 A. A couple of months. I would say three months. Then my
01:37:37 19 employment was terminated.

01:37:38 20 Q. What did you do during the three months for money?

01:37:43 21 A. I was cooperating, directing by Agent Hull.

01:37:48 22 Q. Were you paid for your cooperation?

01:37:50 23 A. No.

01:37:50 24 Q. Did you do any work while you were on paid without leave?

01:37:58 25 A. No.

01:37:59 1 Q. So did you have any income during that three-month
01:38:02 2 period?

01:38:02 3 A. I did not have any income. I was driving for Uber
01:38:11 4 delivery for a couple days.

01:38:15 5 Q. So you were working Uber delivery during this three-month
01:38:19 6 period?

01:38:20 7 A. For a few days.

01:38:21 8 Q. For a few days, okay. And you were helping Agent Hull?

01:38:24 9 A. Yes.

01:38:25 10 Q. Okay. After the three months, did you become employed
01:38:30 11 again?

01:38:30 12 A. I was employed in June of 2018.

01:38:36 13 Q. Okay. And do you still have that job, sir?

01:38:39 14 A. Yes.

01:38:39 15 Q. Where do you work?

01:38:47 16 THE COURT: Objection?

01:38:49 17 MS. GLATFELTER: Yes. May we have a brief sidebar,
01:38:50 18 please?

01:38:51 19 THE COURT: Yes. It's been a while.

01:38:56 20 MS. GLATFELTER: Yes.

01:38:56 21 THE COURT: You want that sidebar?

01:38:58 22 MS. GLATFELTER: Yes, please.

01:38:59 23 THE COURT: Yes, please.

01:40:33 24 (At sidebar.)

01:40:33 25 MS. GLATFELTER: I'm requesting that we don't go

01:40:33 1 into personal details to the name of the witness' current
01:40:33 2 employer and his job details. He is very concerned about his
01:40:33 3 safety. He's asked that we redact his name out of all the
01:40:33 4 documents, which we've done. We have taken care not to
01:40:34 5 mention his name many times because the press is here because
01:40:34 6 I don't think it's relevant to where he is working now.
01:40:34 7 Maybe you can ask him the type of position that he holds.
01:40:34 8 THE COURT: Frankly, it surprised me.
01:40:34 9 MR. McBRIDE: I'm sorry?
01:40:34 10 THE COURT: Frankly, it surprised me.
01:40:34 11 MR. McBRIDE: I'm sorry. Why did it surprise you,
01:40:34 12 sir?
01:40:34 13 THE COURT: Because it's not relevant as far as I
01:40:34 14 know.
01:40:34 15 MR. McBRIDE: I'll move on, sir.
01:40:34 16 THE COURT: And we knew we were trying to protect
01:40:34 17 his identity, and you asked him a question that wasn't
01:40:34 18 relevant.
01:40:35 19 MR. McBRIDE: I will not do that again, sir.
01:40:35 20 THE COURT: Very well.
01:40:38 21 (In open court.)
01:40:46 22 BY MR. McBRIDE:
01:40:52 23 Q. Ms. Glatfelter asked you about the non-prosecution
01:40:54 24 agreement. I'd like to talk about that for just a minute.
01:40:59 25 A. Okay.

01:41:00 1 Q. Were you required by the terms of the non-pros
01:41:10 2 agreement -- let me ask a better question, sir.

01:41:13 3 Under the terms of the non-pros agreement, were you able
01:41:19 4 to work for Pratt-Whitney?

01:41:21 5 A. Can you repeat your question, please?

01:41:24 6 Q. One of the terms -- under the terms of the -- let me see
01:41:28 7 if I can put this better, sir.

01:41:30 8 After you signed the non-prosecution agreement, were you
01:41:34 9 permitted to work for Pratt-Whitney?

01:41:36 10 A. No.

01:41:37 11 Q. Were you permitted to work for Boeing?

01:41:39 12 A. Boeing, yes.

01:41:44 13 Q. Siemens?

01:41:46 14 A. No.

01:41:47 15 Q. Rolls-Royce? Were you allowed to work for Rolls-Royce,
01:41:58 16 sir?

01:41:58 17 A. No.

01:42:02 18 Q. Are they competitors of General Electric?

01:42:05 19 A. Yes.

01:42:12 20 MR. McBRIDE: Can I have a moment, Your Honor?

01:42:14 21 THE COURT: Yes.

01:42:22 22 (Pause.)

01:42:22 23 BY MR. McBRIDE:

01:42:22 24 Q. I'd like to ask you about your cooperation that
01:42:26 25 Ms. Glatfelter reviewed with you.

ZHENG - CROSS (McBride)

102

01:42:27 1 A. Okay.

01:42:28 2 Q. You had a relationship with Agent Hull where you were

01:42:36 3 cooperating with the FBI, correct?

01:42:39 4 A. That's correct.

01:42:39 5 Q. All right. And some of your cooperation was

01:42:43 6 communicating with either Chen Feng or Qu Hui, correct?

01:42:48 7 A. That's correct.

01:42:49 8 Q. All right. Some of those communications were WeChats,

01:42:53 9 correct?

01:42:54 10 A. Yes.

01:42:54 11 Q. I'd like -- and some of them were phone calls, correct?

01:42:58 12 A. That's correct.

01:42:58 13 Q. And some of them were emails, correct?

01:43:00 14 A. Yes.

01:43:01 15 Q. So I'd like to ask you, sir, the process. Who developed

01:43:06 16 the messages to be sent to Chen Feng or Qu Hui?

01:43:11 17 A. Agent Hull developed the message.

01:43:14 18 Q. How did you receive them?

01:43:15 19 A. They will call my lawyer, and we meet somewhere near my

01:43:24 20 house. They will hand me the message that I'm going to

01:43:32 21 sent, and I will translate into Chinese and send it through

01:43:37 22 WeChat.

01:43:38 23 Q. Did you use your own phone for the WeChat?

01:43:41 24 A. Can you repeat the question, please?

01:43:43 25 Q. Did you use your own phone to send the messages?

01:43:49 1 A. Yes.

01:43:50 2 Q. To your knowledge, did anyone confirm that you sent an

01:43:58 3 accurate message?

01:44:01 4 A. Can you repeat your question, please?

01:44:03 5 Q. To your knowledge, did anyone confirm that the message in

01:44:07 6 Mandarin you sent was accurate?

01:44:09 7 A. Yes. After my translation, before I sent, it will be

01:44:14 8 checked by FBI before I sent.

01:44:19 9 Q. Is it the same basic process for emails?

01:44:24 10 A. That's correct.

01:44:25 11 Q. And then I know you made some calls. Were they -- Agent

01:44:32 12 Hull was present too, correct?

01:44:33 13 A. That's correct.

01:44:34 14 Q. All right. Did he give you instruction on what to say in

01:44:38 15 the calls?

01:44:38 16 A. Yes.

01:44:39 17 Q. And you followed that instruction?

01:44:42 18 A. Yes.

01:44:54 19 MR. McBRIDE: May I have a moment, Your Honor?

01:44:56 20 THE COURT: Yes.

01:44:56 21 MR. McBRIDE: I'm almost done.

01:45:07 22 (Pause.)

01:45:07 23 BY MR. McBRIDE:

01:45:07 24 Q. Were you involved at all in the sale of GE engines?

01:45:12 25 A. No.

01:45:22 1 Q. I believe you mentioned to us earlier that you were
01:45:28 2 WeChat friends with Chen Feng, correct?

01:45:31 3 A. Yes.

01:45:32 4 Q. And as such, he could download photographs from your
01:45:35 5 WeChat site, correct?

01:45:36 6 A. That's correct.

01:45:37 7 Q. You also told us, sir, that you tried to look to see how
01:45:44 8 long it would take to download WeChats?

01:45:47 9 A. Yes.

01:45:48 10 Q. And when did you do that, sir?

01:45:50 11 A. I was directed by Agent Hull. He asked me to check
01:45:56 12 about 200 photos, and he asked me check the pictures that I
01:46:04 13 shared through my WeChat moments. And he want to check
01:46:10 14 whether it's -- how long will take to download these
01:46:16 15 pictures to a phone. And I was comparing that with using my
01:46:22 16 wife's phone because I'm friends with WeChat with my wife.
01:46:29 17 So I can view all my postings from her phone.

01:46:36 18 Q. When did Agent Hull ask you to do this?

01:46:38 19 A. Can you repeat your question?

01:46:41 20 Q. I'm sorry, sir. When did Agent Hull ask you to see how
01:46:46 21 fast you could download your images?

01:46:48 22 A. During the investigation. I don't remember exactly
01:46:51 23 which months.

01:46:52 24 Q. That's fine. Would you agree that the images could be
01:46:58 25 downloaded faster on a computer than on a phone?

ZHENG - CROSS (McBride)

105

01:47:03 1 A. Can you repeat the question?

01:47:04 2 Q. Would you agree with me that the WeChat photos could be

01:47:11 3 downloaded faster on a computer than on a phone?

01:47:14 4 A. I don't know. I only downloaded to the phone.

01:47:19 5 Q. Thank you.

01:47:19 6 A. It's easier to view WeChat on the phone.

01:47:23 7 Q. Did you have any images on QQ?

01:47:25 8 A. Yes -- say that question again.

01:47:29 9 Q. Did you have any photographs on QQ?

01:47:32 10 A. Some -- some of them, yes, I have.

01:47:35 11 Q. Thank you. Can you download QQ images in one batch?

01:47:39 12 A. You can.

01:47:41 13 MR. McBRIDE: Your Honor, may I have a moment to

01:47:43 14 talk to my colleagues?

01:47:45 15 THE COURT: Yes.

01:47:56 16 (Pause.)

01:47:56 17 MR. McBRIDE: Your Honor, that's all I have for

01:47:57 18 Mr. Zheng.

01:47:58 19 THE COURT: Very well. Thank you.

01:48:01 20 Redirect?

01:48:03 21 MS. GLATFELTER: No. Thank you, Your Honor.

01:48:04 22 THE COURT: Very well.

01:48:06 23 Sir, your testimony's finished. Thank you. You are free

01:48:09 24 to go.

01:48:10 25 THE WITNESS: Thank you. (Proceedings reported but

1 not transcribed.)

2 *** *** *** ***

3
4 CERTIFICATE OF REPORTER

5
6 I, Mary A. Schweinhagen, Federal Official Realtime
7 Court Reporter, in and for the United States District Court
8 for the Southern District of Ohio, do hereby certify that
9 pursuant to Section 753, Title 28, United States Code that the
10 foregoing is a true and correct transcript of the
11 stenographically reported proceedings held in the
12 above-entitled matter and that the transcript page format is
13 in conformance with the regulations of the Judicial Conference
14 of the United States.

15
16 s/Mary A. Schweinhagen

17 _____ 1st of November, 2021

18 MARY A. SCHWEINHAGEN, RDR, CRR
19 FEDERAL OFFICIAL COURT REPORTER
20
21
22
23
24
25